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The Leading Daily Newspaper of the Motion Picture Industry

MOTION PICTURE DAILY

Alert, Intelligent and Faithful Service to the Industry in All Branches

VOL. 36. NO. 1 NEW YORK, MONDAY, JULY 2, 1934 TEN CENTS

Loew Waivers OrderedEnded On Protection

Circuit Ends Practice After Code Case

Voluntary waivers of protection, heretofore generously granted by Loew's to independents, are being discontinued by the circuit. The order has gone out to all bookers.

Up to now Loew, in many instances, has been lending a helping hand to unaffiliated exhibitors in tight spots on bookings and frequently has waived its protection on films to enable a competitive house to spot book. In some cases, the circuit has given up six of seven days' clearance in order to give a "small fellow" a break on a needed picture.

Playing the role, however, has had its boomerang. Recently, the circuit was brought into the New York

(*Continued on page* 3)

Milwaukee Council Favors Film Drive

MILWAUKEE, July 1.—The executive committee of the Milwaukee County Council of Churches has endorsed the clean films drive, according to Dr. E. Le Roy Dakin, vice-president.

The council includes all Protestant churches except Lutheran congregations. The council expressed itself as "in hearty accord with similar action taken by the Catholic brethren in promoting the Legion of Decency and by the Federal Council of Churches of Christ in America and the National Jewish Welfare Assn."

Kentucky Theatres Add Cent for Taxes

LOUISVILLE, July 1.—One cent was added in Louisville to each adult's theatre ticket beginning today to take care of Kentucky's three per cent sales tax. No tax will be added to tickets for children.

Because collection of an exact three per cent tax on each ticket would not be possible, this plan was devised to reach an approximate sum. The plan has been approved by members of the State Tax Commission.

All for Dime

At the Selwyn Saturday for one thin dime:
"The Cat and the Fiddle," "Palooka," the Baer-Carnera and Canzoneri-Klick fight films, plus a cartoon.

Columbia Set For 48 with Westerns Cut

Product to Be Divulged At Shore Meet Today

By RED KANN

ATLANTIC CITY, July 1.—Cutting down its outdoor action list from 12 to eight, Columbia will throw its hat into the ring with 48 features and an assortment of shorts for 1934-35.

District managers, branch managers and salesmen representing 16 eastern exchanges and Canada were assembled here tonight and ready for the gavel to sound Monday morning on the first of three convention days at which the product will be divulged and selling plans for the new season set up.

Columbia will go ambitious next season. Elated by the box-office swath cut by "Lady for a Day" and "It Happened One Night," the company is passing through its most successful year. More deeply in the black than

(*Continued on page* 6)

Local 306 Men Ask Sherman to Resign

Approximately 1,000 members of Local 306, of the operator's union, have asked Harry Sherman to resign as president of the organization. At a meeting held late last week the members took a vote on the question after Sherman had walked out of the session when those attending got out of hand. A report on Sherman's salary was also read and the request was made to reduce it from $18,200 a year to $200 a week.

The group has called a meeting for tonight when both these questions will be the main topics of discussion.

Dowsley Talks Fight On Canadian Charge

TORONTO, July 1.—Word has been received here from C. L. Dowsley of Calgary, operator of seven houses in Alberta, that he will appeal a decision

(*Continued on page* 3)

Blame the NRA

Portland, July 1.—A number of suburbans have put in slides reading:

"Due to the enforcement of NRA code, we are compelled to abolish the 15c price before 7 P.M., and also the 25c price after 7 P.M. We are therefore establishing a price of 20c general admission any time for any seat. Kiddies a dime."

New Officer To Get Code Enforcement

WASHINGTON, July 1.—Preparing to undertake the second phase of its task—that of enforcing the codes it has developed during the past year—the National Recovery Administration has created a new office to handle all code violations and complaints.

An assistant administrator for field administration has been appointed, under whom will be placed the 48 state compliance officers of the NRA, the compliance division in Washington, including the compliance council, and a new division which will probably be called the Code Authority Administration Office.

The reorganization will centralize the receipt of all complaints of what-

(*Continued on page* 3)

Minnesota Decision Bumps Arbitration

MINNEAPOLIS, July 1.—Arbitration clauses of the standard contract have been branded a violation of the Sherman anti-trust law and "the strongest kind of coercion" by Supreme Court Justice Charles Loring.

The decision was handed down in the Fox suit against A. B. Muller, Rex Theatre, Maple Lake, Minn., and the United Artists suit against W. H. Miller, Leb Theatre, Cloquet. Both operators had refused films.

Consolidated New Force In RKO Affairs

Notes Purchased Secured By Subsidiary Stock

Consolidated Film Industries may exercise an influential voting stock power in RKO as the result of its acquisition of $1,825,208 of six per cent gold notes of RKO, which are secured by substantially all of the stock owned by RKO in its directly and indirectly owned subsidiaries.

The RKO notes were acquired by Consolidated from Chemical Bank & Trust Co. and Commercial Investment Trust. Their original maturities were Jan. 1 and July 1, 1933, but under an agreement made between RKO and the banks early in 1933, extensions were obtained so that the first of the notes, in the amount of $25,208, plus interest, does not mature until today. The balance falls due Aug. 1 and the first of each succeeding month through Jan. 1, 1935, in the amount of $300,000. Today's maturity of $25,208 is being paid by RKO. Indications are, however, that negotiations looking to extension of the Aug. 1 and subse-

(*Continued on page* 3)

Vancouver Excited Over New Film Plan

VANCOUVER, July 1.—Another attack of filmitis is raging in Vancouver with the arrival of Gaston Glass, who says he represents Joseph I. Schnitzer, with plans to produce six to 18 pictures per year in Canada under the quota law. Glass says he has contracts from an unnamed major company for distribution, and all that remains is to work out some way to make the pictures.

First worry is to obtain a building suitable for sound-proofing and making into a studio.

Talley and Stallings Summon Big Meeting

Shortly after arrival of Truman H. Talley, general manager, and Laurence Stallings, editor of Fox Movietone News, in Paris this week a general

(*Continued on page* 3)

No Issue Wednesday

Motion Picture Daily **will not publish Wednesday, July 4, which is Independence Day and a legal holiday.**

M.P. Research Council Seen After New "Front"

WASHINGTON, July 1.—The M. P. Research Council is looking for a new "front" for its organization activities. The idea is to get somebody to take the place of Mrs. August Belmont, whose absence from the two-day session which ended here Friday night was conspicuous and the cause of much comment.

It was generally believed here that the call for a session in the National

(*Continued on page* 3)

MOTION PICTURE
DAILY

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French Film Men Due In

M. Colin-Reval, editor of *La Cinematographie Francaise,* French trade paper, and J. C. Bernard, producer of French short subjects, arrive tomorrow on the *Ile de France.* Colin-Reval is scheduled to broadcast a radio message from the French film industry addressed to Will H. Hays while here. Bernard will "shoot" city and harbor scenes while here.

Services for Bimberg

Funeral services were held yesterday for Bernard K. Bimberg at the Funeral Chapel, 200 West 91st St. Bimberg had been a theatre builder for years. The Astor was one of the houses he erected. He was president of the Benkay Amusement Co., the Bim-Green Catering Co. and the Schuyler Amusement Co.

Raoul Walsh Here

Raoul Walsh and his wife are in New York from the coast. The Fox director is here to confer with authors of "Sand Hog," a yarn dealing with tunnel construction.

Denver Hearing Today

Denver, July 1. — Hearing has been set for Monday on the complaints of eight theatres against giveaways, acceptance of coffee carton tops as admissions, "country store" nights and "bank" nights.

Wayburn Plans Shorts

Ned Wayburn, dance instructor, has formed Ned Wayburn Pictures Co. to make a series of shorts.

MOTION PICTURE DAILY'S HOLLYWOOD PREVIEW

"She Loves Me Not"

(*Paramount*)

Hollywood, July 1.—"She Loves Me Not" is a rapid-fire series of clever comedy situations made possible by the constant unravelling of complications through the capable delineations of a well-balanced cast headed by Bing Crosby, Miriam Hopkins, Kitty Carlisle, Edward Nugent, Henry Stephenson, Warren Hymer, Lynne Overman, Judith Allen and some others.

Despite the sustained delivery of ingeniously worked out incidents, abetted by smooth dialogue, the thread of the story is never lost. It concerns Miss Hopkins, cabaret dancer seeking refuge in a college dormitory, and her efforts to avoid becoming a material witness of a shooting scrape. It's here that Crosby and Nugent, students both, become fall guys out of sympathy to shield her. Complications arise and as fast as they are cleared new ones take their place.

"She Loves Me Not," one of Paramount's next season releases by the way, is destined to please that type of audience searching for the whimsical events of life as encountered by youth. It is flavored throughout with youth, romance and song. With the aid of Miss Carlisle's pleasing voice, Crosby sings three new numbers in his inimitable way. The whole offering, directed by Nugent, spells box-office above the average program fare of this type.

The songs lending much to the picture were contributed by Mack Gordon, Harry Revel, Ralph Rainger and Leo Robin. Running time, 85 minutes.

English Developing Talent—Estabrook

Hollywood, July 1.—The gaps in players' ranks at British studios caused by Hollywood's enticements are filled by building up other players of their own, rather than by reckless bidding to retain their established stars or to win over others from Hollywood, says Howard Estabrook, M-G-M author and scenarist, who returned recently from England, where he worked on the screen adaptation of "David Copperfield."

Estabrook said he had been surprised by the number of successful and popular screen stars, unknown in America, whose pictures "gross more through English distribution than any of our stars whose pictures are distributed throughout the world."

Good Week Seen for Roxy

"Baby, Take a Bow" looks like a $30,000 week for the Roxy, the best gross in some time for this house. Last week with "Affairs of a Gentleman," the take was $13,700. "Operator 13" at the Capitol garnered a mild $34,000.

Lincoln to Vote on Sunday Film Shows

Lincoln, Neb., July 1.—An election on Sunday shows appears assured at the Aug. 14 balloting here. Bob Livingston, manager of the Capitol, is chairman of a petition campaign, and reports about twice as many signers as needed. The City Council has expressed willingness to let the matter go on the ballot without argument when the petitions are filed. Sunday shows were beaten in a referendum here six years ago.

Buy Into Showcraft

John T. Bergen & Co., investment bankers, Harry Dahn and Jack Bergen have purchased a half interest in Showcraft Pictures, Inc. The other half is owned by Adolph Pollak, president, and Emil K. Ellis.

Pollak left for Hollywood yesterday to line up the first two of 18 features planned under the franchise idea. He will remain on the coast for four weeks. During the second and four following years Showcraft intends to turn out 24 annually.

Trading Light on Big Board

	High	Low	Close	Net Change	Sales
Eastman Kodak	97½	97½	97½	— ¼	100
Loew's, Inc	28½	28⅛	28½	+ ⅜	1,100
Paramount, cts	3¼	3¼	3¼	.....	1,500
Pathe Exchange	2⅛	2	2	— ⅛	3,100
Pathe Exchange "A"	20	19⅝	20	+ ½	400
RKO	2⅛	2⅛	2⅛	.....	500
Warner Bros	5½	5¼	5¼	.....	400

Technicolor Lone Curb Issue

	High	Low	Close	Net Change	Sales
Technicolor	13	13	13	.....	100

Paramount Publix Bonds Off 2½

	High	Low	Close	Net Change	Sales
General Theatre Equipment 6s '40	8½	8½	8½	+ ¼	5
Loew's 6s '41, ww deb rights	100½	99⅞	100	—1	15
Paramount Publix 5½s '50	52⅛	50⅛	50	—2½	18
Pathe 7s '37 ww	99	99	99	.....	4
Warner Bros. 6s '39, wd	55½	55	55	— ¼	16

◀ Purely Personal ▶

Julius S. Fisher, publicity director for Amalgamated Theatres, Ltd., Singapore, sailed Saturday on the *Britannic* after a three weeks' vacation here.

Charles Gibson Whitehead, associate producer of Colored Photoplay Co., Inc., is the proud father of a nine pound daughter. He plans to name the heiress Dolores.

Len Daly of the U. A. foreign publicity department, ended the uncertainty Friday evening when his final sales argument went across and Ruth Stripling became his wife.

Mort Blumenstock, in charge of theatre advertising for Warners, is off again on a business trip. Stops will be Cleveland, Pittsburgh, Philadelphia and Atlantic City.

Edmund Burke left for Hollywood yesterday after completing the script of Shirley Temple's next for Fox, "Angel Face."

Bill Orr of M-G-M observed a 25th wedding anniversary over the week-end at his country home, Leominster, Mass.

Ruby Keeler, now vacationing with Al Jolson in Scarsdale, returns to the coast July 23.

Genevieve Tobin arrived from Europe on the *Berengaria.*

Charles O'Reilly finally goes to Omaha this week.

Irving Mandell of Chicago will be here for a few days.

Take Two Lincoln Spots

Lincoln, Neb., July 1.—The Westland Theatres Corp. of Denver has taken over the Rialto and State, acting through an affiliate incorporated as Cornhusker Theatres.

The two have been operated for the past two years by a local independent, with occasional closing periods. The State, renamed the Kiva, will use first runs, while the Rialto continues seconds.

New Newburgh Company

Albany, July 1.—Newburgh Academy of Music Operating Corp., Newburgh, has been chartered with capital of $5,000. Henry Wilson, Palatine Hotel, Newburgh; Alice Nelson, Salisbury Mills, and Alexis Beckerich, White Plains, are the incorporators.

Six Spots Change Hands

Omaha, July 1.—Six theatres in Iowa and Nebraska within the Omaha distribution area changed hands last week.

Eric Wesselman took over the Strand at Pierce, Neb.; H. C. Ebmeier, Orleans, Orleans, Neb.; E. E. Seff, Granada, Sioux City, Ia.; C. C. Moore, Idle Hour, Dunlap, Ia.; M. A. Clark, Sterling, Blue Hill, Neb., and Central States Theatres Corp., Rialto, Missouri Valley, Ia.

Two houses closed: Balley at Missouri Valley, Ia., and the Table Rock at Table Rock, Neb.

Zanuck Nearly Killed

London, July 1.—Daryll Zanuck was nearly trampled to death by elephants in Africa, according to cable reports received here today. The beasts resented being photographed, it is reported, and charged the cameras.

Campi Sets Up Special Plan On U.A. Cases

Special procedure for hearing and disposing of U. A. 10 per cent cancellation complaints has been set up by Campi, and it goes into effect at once. This question has had Campi in a stew of uncertainty for several weeks.

Complaints are to be filed on special forms with local grievance boards, which, instead of certifying complaints to Campi, must make a decision as to whether or not the respondent charged with violating the code is guilty. This means that grievance boards must first hear cases and determine whether or not exhibitors complaining have bought all of the U.A. product offered.

If the protestant has not bought the entire group of pictures then he cannot cancel on individual contracts and the case will be dismissed without further ado. However, if it is found the exhibitor purchased all the product offered, and has not made any eliminations before buying, then his case is referred to the compliance board, officially known as Local Industrial Adjustment Agency, which will attempt to settle. Failing to arrive at a settlement, the compliance board then will submit the issue to Campi.

In the case of the Egyptian, DeKalb, Ill., Code Authority did not have a decision from the Chicago grievance board and so did not know whether the exhibitor had bought all of the 21 pictures offered. This case is slated to be heard by the compliance board in the Windy City this week, and if it is found the theatre operator did not make eliminations before buying, the issue then will be referred to Campi for rehearing.

However, if Campi affirms decisions of compliance boards and U. A. then refuses to grant cancellations, the matter then will be referred to the proper governmental officer to invoke remedies and penalties under the NIRA Act. It is understood U. A. will accept decisions of Campi on the matter.

The Cincinnati grievance board last week passed on to Campi another U.A. cancellation argument. Frank W. Huss, Jr., of the Park, Cincinnati, and the Highland, Newport, Ky., is the complainant. This case is expected to be returned to the local compliance board, like the Chicago complaint, for a decision and not a certification.

Dowsley Talks Fight On Canadian Charge

(Continued from page 1)

against him in the suit of the Canadian Performing Rights Society over the music copyright tax.

Dowsley says that if the Court of Appeals confirms the judgment he will organize independents to demand an investigation of the score charge situation in Canada by a Parliamentary committee at Ottawa.

He insists that he is willing to pay the performing rights society or a score charge, but not both, and will move for Federal action to gain relief. This action is in line with Oscar Hanson's agitation in behalf of Allied exhibitors for abolition of score charges in Canada next month.

Loew Waivers OrderedEnded On Protection

(Continued from page 1)

grievance board by an independent operator and the local body asked to lift Loew's seven-day clearance over the independent's house. One of the points brought out in the case was that Loew for weeks had been releasing pictures it had played to the subsequent house one day after showing.

This irked Loew's to the point where it became convinced a good turn is not always appreciated. The independent lost his case and also the appeal. In the future, the major circuit will stick by its guns and take full protection and clearance as provided, come what may in the way of requests for relief.

Wisconsin Men Hit Company Trailers

MINNEAPOLIS, July 1.—Resolutions opposing the sale of trailers by M-G-M have been adopted by Independent Theatre Owners Ass'n. at Lake Geneva. The resolution says that the members will not buy M-G-M product if forced to buy trailers. It also includes the same statement about Warner-First National product.

Plans for group unemployment insurance which would reduce premium rates for independent exhibitors were outlined at the closing session of the Wisconsin Allied meeting at Lake Geneva yesterday by Arthur Wess of this city.

Chicago's clearance and zoning setup was described by Aaron Saperstein, head of Illinois Allied. Carol Hibbard of Madison explained the Wisconsin state unemployment insurance act. An election of officers of the Wisconsin unit will not be held until probably late this month.

New Officer To Get Code Enforcement

(Continued from page 1)

ever nature which come into NRA and will place the responsibility for follow-up upon one official. Complaints received by the administration fall almost entirely into two categories, it was said. One group consists of complaints alleging code violation; the other, charges of code maladministration.

The first class has heretofore been handled jointly by the compliance division and the code authorities, while the second class has been handled by the division and deputy administrators, who usually referred them to the administration members of the code authorities for comment and action.

Dayton, Tippacanoe Rezoning Completed

CINCINNATI, July 1.—The local clearance and zoning board yesterday zoned the Dayton territory, and Tippecanoe City, against both of which protests have been filed.

Greater Cincinnati and Columbus territories were zoned last week as a result of protests.

Balance of the territory within the jurisdiction of the local board will be zoned in accordance with present schedules.

Dismiss Phila. Cases

PHILADELPHIA, July 1.—Two cases have been dismissed by the clearance and zoning board. In both cases, the Boulevard of Brookline vs. the Ardmore, and the Cameo vs. the Harrowgate, the plaintiffs did not present sufficient evidence that clearance was unfair.

M.P. Research Council Seen After New "Front"

(Continued from page 1)

Education Ass'n building just prior to the annual meeting of the N. E. A., was to lay out a program that would bring it out of the shadows developed by the church crusade for clean films. The decision of the council to call a national meeting in Chicago and invite all religious and educational groups strengthened this impression.

The resignation of Mrs. Belmont, who had called the meeting here, and her failure to attend caused considerable comment among the group and unguarded expressions indicated that the plea of overwork was merely an alibi to cover up friction within the organization, said to lie largely between the president and Rev. William H. Short, over the strategy to be followed, particularly with reference to publicity. Members of the council, however, were reluctant to discuss the matter.

That the council meeting was held at this time in an attempt to develop a program for submission to the educators was indicated with publication of the N. E. A. agenda. On Monday, Robert P. Wray of the Pennsylvania State College will discuss the "Relation of Motion Pictures to Standards and Morals," and the following day an entire session of one group will be devoted to the film situation, with Dr. Cline M. Koon of the Federal office of education speaking on the "Relation of Films and Radio to Classroom Instruction"; Rita Hochheimer, assistant director of visual instruction, New York public schools, on "School Films, Their Source and Valuation"; Hilda Marie Diller, research department, Washington public schools, on "Motion Pictures vs. Classroom Instruction"; Howard M. Lesourd, Boston University Graduate School, on "Films in Preparation for Use in Character Education"; and C. F. Hoban, Pennsylvania State Department of Public Education, on "Report of the International Conference on Motion Pictures."

On July 5, the report of the M. P. Research Council will be laid before an N. E. A. group by Dr. W. W. Charter, director of the Bureau of Educational Research of Ohio State University, in an address on "The Effect of Motion Pictures on Children."

Consolidated New Force In RKO Affairs

(Continued from page 1)

quent maturities will be begun soon.

Voting of the RKO stocks pledged as collateral securing the notes may be exercised by Consolidated in certain contingencies. Voting of the stock for the election of RKO directors, however, may be exercised only as directed by RCA. On all other matters the stock may be voted as directed by a committee of three, two to be named by H. J. Yates, president of Consolidated, and the third by David Sarnoff, RCA head. In the absence of directions from this committee the stock may be voted in the "uncontrolled discretion" of Consolidated.

Dividends or any other proceeds paid on the RKO subsidiaries' stock and notes, which are pledged as collateral on the gold notes held by Consolidated, are to be employed for the operation of a revolving credit fund out of which new loans are to be made to the operating subsidiaries of RKO for working capital and current requirements. These new loans, according to the agreement, are to be secured in the case of Radio Pictures by chattel mortgages on completed films, a new film to be pledged as an old one becomes obsolete. Consolidated has the right to deduct interest on the notes from this revolving fund, however.

The pledging of the negatives was attacked by RKO creditors over a period of months but the plan eventually received the approval of the U. S. Circuit Court of Appeals here, and the creditor objections came to an end. During the court attacks on the plan, attorneys for the RKO receivers stated that if the agreement was set aside the collateral securing the notes, which represents "substantially all of the assets of RKO," could be sold by the note-holders and might result in putting RKO out of existence as a going concern.

Talley and Stallings Summon Big Meeting

(Continued from page 1)

meeting of European forces will be held to discuss plans for the new newsreel in the fall.

Arrangements are virtually perfected for coverage in Soviet Russia. Present at this meeting will be: Gerald Sanger, editor of British Movietone News, heading a delegation from England, Ireland, Scotland and Wales; Russell Muth, heading a contingent from Germany, Lithuania, Poland, Latvia, Esthonia, Denmark, Norway, Holland and Finland; Ettore Villani, heading a group from Italy, Greece, Turkey, Palestine, Egypt, Syria, Tripoli and Mesopotamia; Hans Pebal, from Hungary, Czechoslovakia, Jugoslavia, Rumania, Bulgaria and Albania; Ben Miggins, European director, and his forces from Belgium, Switzerland, France, Portugal, Tunis, Algeria and Morocco.

A meeting also will be held within the next few weeks of editorial and camera crews covering Asia, Africa and South America. Talley plans to increase the number of offices in Central and South America.

COLUMBIA'S FIRST

Captures glowing

One Night of Love with
race Moore in glorious
ice is one of the most
arming and certainly the
ost intelligent musical pic-
re to come out of Holly-
ood."

Liberty Magazine

"Miss Moore's performance utterly charming and the whole picture a delightful entertainment."

Mary Pickford

"This is one for you! It is an evening for the Gods!"

—Kathryn Dougherty
Photoplay Magazine

"Grace Moore sings exquisitely and brings something new into pictures."

Silver Screen

"To Columbia's hit roster, showmen may now add One Night of Love. After key city notices this star may find herself a rage, both as star and singer. . . A credit to the industry."

Motion Picture Daily

"Dear Grace . . . You completely won your audience with your warmth and charm and thrilled us with your glorious voice."

Norma Shearer

COLUMBIA PICTURES

Just a few of the scores of
have reviews pouring in!

with
TULLIO CARMINATI LYLE TALBOT
MONA BARRIE

Directed by
VICTOR SCHERTZINGER

Grace

IN **ONE NIGH**

WATCH FOR CAPRA'S "BROADWAY BILL"—with WARNER BAXTER,

OR 1934-1935 CLICKS

RAVES from all critics!

"This marks a thrilling new epoch in sound pictures."
Movie Mirror

"Miss Moore is one of the most radiant personalities on the screen."
Ruth Chatterton

"Thrilling, trilling, de luxe! Grace Moore sings her way into your heart."
Modern Screen

"Grace Moore's exquisite voice and charming personality make this picture enchanting. I was thrilled with it."
Gloria Swanson

"Grace Moore's voice crea
the strongest audience reacti
ever seen by this reviewer."

—Gene Chris
Fawcett Publicat

"Great entertainment. Grace Moore's performance magnifique."
Maurice Chevalier

"The whole thing is the sort of ideal entertainment one yearns for."
Herbert Marshall

"One Night of Love should b
a smash hit. Preview audienc
reaction definitely stamps it
box-office natural. A triumpl
for Grace Moore and a credit t
the Columbia organization."

Box-Office Associated Publication

Hollywood thunders its praises!
Watch the next announcement!

Moore
OF LOVE

Story by DOROTHY SPEARE
and CHARLES BEAHAN
Screen play by
S. K. LAUREN
•
A COLUMBIA PICTURE

RNA LOY and others — COLUMBIA MARCHES ON!

Columbia Set For 48 with Westerns Cut

Star Splurge In Line for New Season

(Continued from page 1)

ever before, plans have been fashioned to splurge on what will be the organization's largest production budget, substantially increased over the current negative cost allotment. A number of pictures to be built around star-director combinations will set their cap for preferred playing time during the big half, which is the last half, of the week next season.

The Columbians, about 125 strong, will be given the lineup as far as it will go, on Monday. The schedule will outline 32 pictures of the 48 specifically by title, directors and casts. Eight others, not identified by title, are being withheld to permit the company to select stories and players in conformity with changing times and trends. The final eight will make up the outdoor contingent and will star Tim McCoy, who will again make the same number as he is contributing to the 1933-34 schedule. Buck Jones, currently making four, will not appear on the '34-'35 lineup. Short subjects, the men will be told, will break down into 26 two-reelers and eight series of one-reelers.

Capra Will Do Two

Indicating Columbia's swing toward the personality equation is the intention to make two Frank Capra productions, one Grace Moore, whose "One Night of Love" is the lead-off picture for the new season; one Claudette Colbert, one Edward G. Robinson, four Jack Holts, one Holt with Edmund Lowe co-starring, one Boris Karloff and one starring Gene Raymond and Ann Sothern.

Presaging the plan to capture more preferred playing time is the comment of a ranking executive who declared:

"Because of the ever-mounting increase in cost of production, due not only to public demand for finely produced stories of popular plays, books and short stories, but also due to the operation of NRA principles throughout the organization, Columbia must be in a position to acquire more of exhibitors' preferred playing time."

The new lineup, it is promised, will be backed by more extensive newspaper, magazine and radio advertising and exploitation campaigns than ever before attempted. The budget is said to permit augmented national advertising in newspapers, national and fan magazines and over the leading broadcasting chains, as well as extensive merchandising and exploitation campaigns of a national scope.

The meeting at the Ritz will be the first of two. The second will be held in Chicago beginning July 9. The first order of business at this and the midwestern convention will concern itself with liquidation of current product and an explanation of why Columbia feels it has reached the point where it is ready to step out.

This will be followed by several sessions at which 1934-35 product will be outlined by Jack Cohn and discussed. Publicity, advertising, exploitation and sales promotion plans will then be presented to the delegates and the convention will wind up with special conferences held by the individual branches to discuss local problems affecting each territory.

Cohn will officially open the meeting, which will include, in addition to his address, speeches by Abe Montague, general sales manager; Abe Schneider, treasurer, and William Jaffe of the legal department. In addition, the home office contingent present at the convention consists of: Nate Spingold, George Brown, director of advertising, publicity and exploitation; Rube Jackter, Joseph A. McConville, Hal Hode, Lou Weinberg, Henri Brunet, J. Barbano, Louis Astor, Hank Kaufman, Al Seligman, Sam Liggett, Milton Hanock, Lou Goldberg, Ben Atwell, J. W. MacFarland, Arnold Van Leer, Sam Hacker, Charles Roberts, Mort Wormser, Bill Brennan, John Kane, Milt Goodman and Maurice Grad, several of whom will address the gathering. Walter Futter, producer of Columbia shorts, will also attend.

Present from the field are the following division managers, branch managers and salesmen:

Albany—C. N. Johnston, manager; J. Bullwinkel, S. E. Feld, J. Rieff.

Atlanta—S. M. Moscow, southern division manager; W. W. Anderson, manager; B. A. Wallace, V. T. Koch, S. T. Wilson, F. J. Shepard, T. Toddy, exploiteer.

Boston—T. F. O'Toole, manager; S. Simons, P. D. Fox, T. F. Jennings, R. J. Murray, E. J. Anderson, J. L. Cronan, Fred Marshall, exploiteer.

Buffalo—Joe Miller, manager; M. Briskin, T. Donahue, G. H. Ferguson.

Charlotte—R. J. Ingram, manager; G. Roscoe, C. Alexander.

Cincinnati—A. S. Moritz, manager; C. R. Palmer, L. E. Davis, M. Spanagel, E. C. Stewart.

Cleveland—H. C. Bissell, manager; G. J. Becker, S. E. Gerson, L. Zucker.

Dallas—J. B. Underwood, manager; W. S. Hurst, W. L. Penn, J. L. McKinney, G. Hartley, L. L. Savage.

Memphis—J. J. Rogers, manager; F. Curd, T. B. Haynes.

New Haven—I. H. Rogovin, manager; B. J. Lourie.

New Orleans—H. Duvall, manager; J. Winberry, J. J. Fabacher.

New York—N. J. Cohn, district manager; S. Trauner, M. Fraum, J. Sokoloff, S. Schussell, Eddie Schnitzer, Irving Wormser, J. Becker, J. Wenisch, C. Penser.

Oklahoma City—F. L. Stocker, manager; C. A. Gibbs, S. E. Gibbs.

Philadelphia—H. E. Weiner, manager, and Mrs. Weiner; W. Bethell, M. Gillis, D. Korson, S. Perlsweig, Mr. Wurtle.

Pittsburgh—A. H. Levy, manager; H. Olshan, C. B. Kosco, S. Lubell, S. Sugarman.

Washington—S. A. Galanty, manager; O. D. Weems, C. A. Wingfield, J. B. Walsh, B. Caplon.

Canada—L. Rosenfeld; D. H. Coplan, P. C. Taylor, A. B. Cass, M. S. Bernstein, J. Leiberman, W. Elman, H. Harnick.

Ritzing It with Columbia

ATLANTIC CITY, July 1.—The Columbia conventioneers are in almost complete possession of the Ritz-Carlton beach front. Although there were some arrivals on Saturday night, most of the boys got in today. The home office contingent arrived at noon. In the party were JACK COHN, NATE SPINGOLD, ABE MONTAGUE, RUBE JACKTER, JOE MCCONVILLE, LOU ASTER, LOU WEINBERG, HAL HODE, J. W. MACFARLAND, AL SELIGMAN and MILT HANNOCK. SAM LIGGETT beat the rest of the home office crowd to the beach by flying down.

•

With serious business the order of the day commencing Monday morning, the Columbians applied themselves seriously to the task of acquiring suntans on the beach. Some few are having themselves pushed along the boardwalk in wheel chairs.

The main topic of conversation today was Columbia's special preview of its lead-off picture of the new season, "One Night of Love." This is to be given following the regular show Monday night at Warner theatre on the boardwalk. The advance information from the coast has the boys all excited.

•

The home office sales staff, headed by MONTAGUE, were grouped on the beach most of the afternoon, their heads close together in a discussion of the final details of the convention. With the exception of the one preview there will be no night sessions, in accordance with Columbia's long established policy of mixing work with relaxation.

•

Not even the delights of the new summer home he has just acquired

(Continued on page 7)

Cast for Bellamy Film

HOLLYWOOD, July 1. — J. Carrol Naish, Vincent Sherman, Arthur Hohl and Eddy Chandler have been signed for "Girl in Danger," last of Columbia's current policy mystery stories in which Ralph Bellamy plays the lead. Shirley Grey is the heart interest.

Set July 7 as Date

"Whom the Gods Destroy," featuring Walter Connolly, is on Columbia's release chart for July 7.

At Columbia Convention Helm

JACK COHN
Vice-President

ABE MONTAGUE
Gen'l Sales M'g'r

JOE McCONVILLE
Nat'l Sales M'g'r

ABE SCHNEIDER
Company
Treasurer

LOU WEINBERG
Home Office Sales
Executive

LOUIS ASTER
Home Office Sales
Executive

RUBE JACKTER
Assistant Sales
Manager

J. W. MacFARLAND
Short Sales
Supervisor

GEORGE BROWN
Director Public
Relations

Chicago Takes Gain as Fair Crowds Grow

Chicago, July 1. — Despite hot weather, grosses gained sharply last week with the increase in fair crowds. The Oriental was the surprise of the week, going to $20,000, up by $5,000, on "You're Telling Me" and a vaudeville bill with the fight film.

"Many Happy Returns" took a good $35,000 at the Chicago, and "Strictly Dynamite" was $4,000 up on a $26,000 take at the Palace.

Total first run business was $126,500. Average is $127,000.

Estimated takings:

Week Ending June 26:

"OPERATOR 13" (M-G-M)
UNITED ARTISTS—(1,700), 30c-40c-60c, 7 days. **Gross:** $17,000. (Average, $17,000.)

Week Ending June 28:

"MANY HAPPY RETURNS" (Para.)
CHICAGO—(4,000), 35c-50c-68c, 7 days. Wampas 1934 stars, Ted Claire, Geo. & Jack Dormonde, Duffin & Draper on stage. **Gross:** $35,000. (Average, $34,000.)

"FOG OVER FRISCO" (F. N.)
McVICKERS—(2,284), 30c-40c-60c, 7 days. **Gross:** $8,500. (Average, $13,000.)

"YOU'RE TELLING ME" (Para.)
ORIENTAL—(3,940), 25c-40c, 7 days. Jack Powell, Young, Worth & Wiley and others on stage. **Gross:** $20,000. (Average, $15,000.)

"STRICTLY DYNAMITE" (Radio)
PALACE—(2,509), 35c-50c-75c, 7 days. Lupe Velez, Ken Murray, Lew Ahearn & Co., Chaney & Fox on stage. **Gross:** $26,000.) (Average, $22,000.)

"LITTLE MISS MARKER" (Para.)
(Second Loop Week)
ROOSEVELT—(1,591), 25c-35c-50c, 7 days. **Gross:** $8,000. (Average, $11,000.)

Week Ending June 30:

"ALL MEN ARE ENEMIES" (Fox)
STATE-LAKE—(2,776), 20c-25c-35c, 7 days. Joe Frisco, Jed Dooley, Harris Twins & Loretta, Edith Griffith and others on stage. **Gross:** $12,000. (Average, $15,000.)

"Black Cat" Leads Buffalo at $7,400

Buffalo, July 1. — "The Black Cat" brought 'em in and they remained to enjoy "The Poor Rich," so the Lafayette had a good week at $7,400, or $900 above normal. Heat and rain killed business for everyone else.

Total take was $31,500. Normal is $35,600.

Estimates for week ending June 29:

"THE LIFE OF VERGIE WINTERS"
(Radio)
BUFFALO—(3,500), 30c-55c, 7 days. Stage: Westchester Hillbillies; Gracie Barrie; Lowe, Burnoff & Wensley; Betty Kean. **Gross:** $12,600. (Average, $14,300.)

"SMARTY" (Warners)
"EVER SINCE EVE" (Fox)
CENTURY—(3,000), 25c, 7 days. **Gross:** $5,000. (Average, $6,000.)

"OPERATOR 13" (M-G-M)
HIPPODROME—(2,100), 25c-40c, 7 days. **Gross:** $6,100. (Average, $8,000.)

"THE CONSTANT NYMPH" (Fox)
"HEART SONG" (Fox)
HOLLYWOOD—(300), 25c-40c, 7 days. 2d week. **Gross:** $400. (Average, $800.)

"THE BLACK CAT" (Univ.)
"THE POOR RICH" (Univ.)
LAFAYETTE—(3,300), 25c, 7 days. **Gross:** $7,400. (Average, $6,500.)

"Tomorrow" Lang's First

Hollywood, July 1.—"Tomorrow" will be the title of an original story which Fritz Lang will direct first for M-G-M. He worked on it on his way from Europe to this country with David O. Selznick and his party.

"Operator 13" Boston Smash With $21,000

Boston, July 1. — Circus weeks and heat failed to damage box-offices hereabouts. "Operator 13," at Loew's State, topped par by $5,000 on a gross of $21,000.

Two other unusually strong draws were "The Life of Vergie Winters," with $20,000 at Keith's and "Shoot the Works" with $30,000 at the Metropolitan.

Total first run business was $105,500. Average is $94,000.

Estimated takings for the week ending June 28:

"COUNTESS OF MONTE CRISTO"
(Univ.)
"WHIRLPOOL" (Col.)
BOSTON—(2,900), 25c-50c, 7 days. **Gross:** $19,000. (Average, $16,000.)

"NOW I'LL TELL" (Fox)
"SMARTY" (Warners)
FENWAY—(1,800), 30c-50c, 7 days. **Gross:** $7,500. (Average, $9,000.)

"LIFE OF VERGIE WINTERS" (Radio)
KEITH'S—(3,500), 30c-50c, 7 days. **Gross:** $20,000. (Average, $16,000.)

"OPERATOR 13" (M-G-M)
LOEW'S STATE—(3,700), 35c-50c, 7 days. **Gross:** $21,000. (Average, $16,000.)

"SHOOT THE WORKS" (Para.)
METROPOLITAN—(4,350), 30c-65c, 7 days. Revue and Capt. Proske's Bengal Tigers. **Gross:** $30,000. (Average, $28,000.)

"NOW I'LL TELL" (Fox)
"SMARTY" (Warners)
PARAMOUNT—(1,800), 30c-50c, 7 days. **Gross:** $8,000. (Average, $9,000.)

Cantor Film Retitled

Hollywood, July 1.—The title of "The Treasure Hunt," Eddie Cantor film for Samuel Goldwyn, has been changed to "Kid Millions."

Seattle Dull; "Glory" Gets $3,750 Gross

Seattle, July 1.—Night baseball and a continuance of the waterfront strike continued to hit box-offices last week. "No Greater Glory," at the Liberty with $3,750, was the only first run to come anywhere near par.

Total first run business was $26,250. Average is $31,000.

Estimated takings for the week ending June 30:

"MURDER ON THE BLACKBOARD"
(Radio)
"DOUBLE DOOR" (Para.)
BLUE MOUSE—(950), 15c-25c-35c, 7 days. **Gross:** $2,750. (Average, $3,500)

"MURDER AT THE VANITIES" (Para.)
FIFTH AVENUE—(2,450), 25c-40c-55c, 7 days. **Gross:** $6,000. (Average, $7,000)

"NO GREATER GLORY" (Col.)
LIBERTY—(1,800), 10c-15c-25c, 7 days. **Gross:** $3,750. (Average, $4,000)

"BORN TO BE BAD" (U. A.)
MUSIC BOX—(950), 25c-35c-50c, 7 days. **Gross:** $3,250. (Average, $4,000)

"LITTLE MAN, WHAT NOW?" (Univ.)
MUSIC HALL—(2,275), 25c-40c-55c, 7 days. **Gross:** $5,500. (Average, $6,500)

"SUCH WOMEN ARE DANGEROUS"
(Fox)
PARAMOUNT—(3,050), 25c-35c, 7 days. Vaudeville headed by Don Santos & Exie. **Gross:** $5,000. (Average, $6,000)

Bromfield Due in October

Hollywood, July 1.—Louis Bromfield recently signed on an M-G-M term contract by David O. Selznick in England, will come to the coast in October. His first will be an original, "Living in a Big Way," which is slated for Marie Dressler.

Ritzing It with Columbia

(Continued from page 6)

near Greenwich, Conn., could keep Cohn away from this meeting. He greeted each conventioneer by name—an easy task inasmuch as there hasn't been a single change in personnel in Columbia's eastern division in the last year.

•

Montague looked fit as a fiddle and amply prepared to weather the strain of the sessions to be held during the next three days. He confided that the company has closed a number of deals for the new season, although the new lineup has not been officially announced.

•

Nate Spingold and George Brown are both enthusiastic over the national advertising program outlined for 1934-35. The appropriation for this, according to Spingold, is even larger than that spent last year. "We not only make the pictures for the exhibitors, but we sell them to his customers before he gets them," he declared.

•

Hal Hode, assistant to Cohn, and J. W. MacFarland, short subject sales manager, declared they had to get up and out at four o'clock this morning in order to make the 10 o'clock Atlantic City train. The reason is that these executives have their summer homes at Lake Katonah, situated in the wilds of Westchester County.

A discussion as to the previous occupations of the various Columbians revealed some interesting "ex's." Cohn is an ex-advertising agency man. Spingold an ex-theatrical press representative. Hode an ex-sailor. MacFarland an ex-civil engineer. Rube Jackter declared he was no "ex" anything, having grown up in the film business. Incidentally, Jackter is sporting a strained ligament in his right side, the result of a too-vigorous swipe at a golf ball. A recent disciple of that game, Rube may not hit them straight, but he certainly hits them hard.

•

While on the subject of golf, Lou Aster is another new golf enthusiast. If nothing else, the game has enabled him to "sluff" off a lot of excess poundage.

•

Nat Cohn, who is a frequent partner of Aster's on the golf course, is not as enthusiastic over the game as the above-mentioned two. Instead, he regards it as a laborious form of trench digging under another name to make it seem attractive.

•

As usual, silent Joe McConville, home office sales manager, is saying little and listening much. However, he generally makes up for lost time by the pungency of his remarks when his time comes to address the boys.

Denver Takes Hit by Open Air Concert

Denver, July 1.—A three-day open air opera concert socked all first run grosses except one last week. The exception was the Denver, where "The Thin Man" reached $7,000, up by $1,000.

Other takes were low. Total first run business was $16,700. Average is $20,000.

Estimated takings for the week ending June 28:

"THE MERRY FRINKS" (F. N.)
ALADDIN—(1,500), 25c-35c-50c, 7 days. **Gross:** $2,000. (Average, $2,500)

"THE GREAT FLIRTATION" (Para.)
DENHAM—(1,500), 15c-25c-40c, 4 days. **Gross:** $1,200. (Average, $4,000)

"THE THIN MAN" (M-G-M)
DENVER—(2,500), 25c-35c-50c, 7 days. **Gross:** $7,000. (Average, $6,000)

"THE CRIME DOCTOR" (Radio)
ORPHEUM—(2,600), 25c-35c-50c, 7 days. **Gross:** $4,500. (Average, $6,000)

"NOW I'LL TELL" (Fox)
PARAMOUNT—(2,000), 25c-40c, 3 days. **Gross:** $900.

"WHIRLPOOL" (Col.)
"SISTERS UNDER THE SKIN" (Col.)
PARAMOUNT—(2,000), 25c-40c, 4 days. **Gross:** $1,100. (Average for week, $2,000)

"Winters," Fight Best Omaha Draw

Omaha, July 1.—"The Life of Vergie Winters" and the Baer-Carnera fight took the big money here last week in spite of the Catholic ban on the former. The take of $4,800 at the Brandeis was over normal by $1,000.

"Little Man, What Now?" was disappointing at the Paramount, pulling only $6,500.

Provisional closing notices have been posted at the World and Paramount and Bert Smith's Varieties probably will end a four-week run on Thursday at the World. Beer taverns and night club competition have been too much.

Total first run business was $23,750. Average is $23,550.

Estimated takings:

Week Ending June 27:

"LITTLE MAN, WHAT NOW?" (Univ.)
PARAMOUNT—(2,900), 25c-35c-40c, 7 days. **Gross:** $6,500. (Average, $7,250)

Week Ending June 28:

"THE LIFE OF VERGIE WINTERS"
(Radio)
"CARNERA VS. BAER" 2nd week
BRANDEIS—(1,500), 20c-25c-35c. 7 days. **Gross:** $4,800. (Average, $3,800)

"MANY HAPPY RETURNS" (Para.)
"A MODERN HERO" (Warners)
ORPHEUM—(3,000), 25c-35c-40c, 7 days. **Gross:** $7,200. (Average, $7,000)

"BORN TO BE BAD" (U. A.)
WORLD—(2,200), 25c-35c, 7 days. Stage: Smith Varieties. **Gross:** $5,250. (Average, $5,500)

Canton House Reduces

Canton, O., July 1.—Although Loew's, Warners' Alhambra and Constant's Palace, the three local major houses, agreed on a uniform admission scale several months ago, the Palace has cut night prices to 15 and 25 cents for balcony and lower floor, with matinee rate 15 cents. All prices are plus 10 per cent state tax. No change has as yet been announced by the other two.

Noted for
UNIFORMITY

REVOLUTIONARY new qualities made Eastman Super-Sensitive "Pan" a byword almost overnight. But only day-in and day-out delivery of those qualities over a long period could give this film lasting fame in the motion-picture world. *Uniformity*... the quality that has always characterized Eastman films... has made Eastman Super-Sensitive Panchromatic Negative the brilliant leader it is today. Eastman Kodak Company. (J. E. Brulatour, Inc., Distributors, New York, Chicago, Hollywood.)

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Panchromatic Negative

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of the
Motion
Picture
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MOTION PICTURE
DAILY

Alert,
Intelligent
and
Faithful
Service to
the Industry
in All
Branches

VOL. 36. NO. 2 NEW YORK, TUESDAY, JULY 3, 1934 TEN CENTS

ColumbiaSets 26 Titles of 48 for 34-35

Name Seven Star Films; Nine Shorts Series

By RED KANN

ATLANTIC CITY, July 2.—Columbia announced 26 titles on its 1934-35 list of 48 at today's session of the sales convention, and indicated the details of seven others in a general way. One short story, five novels and seven stage plays are represented in the list.

Those on which star names but no titles were given are two to be directed by Frank Capra, one Edward

(*Continued on page* 10)

Columbians Cheer Jack Cohn Speech

ATLANTIC CITY, July 2.—Columbia delegates this afternoon cheered the assertion by Jack Cohn that the industry is "more sinned against than sinning." He said in part:

"This violent burst of condemnation is directed against something greater and something far more important and all-embracing than the motion picture.

"The storm has mistakenly been

(*Continued on page* 10)

Say Warners After Eight Jersey Spots

Warners are understood negotiating for eight New Jersey houses; the Ritz, Lyndhurst; Rahway, Rahway; Playhouse, Dover; Rex, Irvington; Lincoln, Arlington; Bellevue, Upper Montclair; Broadmore, Bloomfield; Park, Caldwell. The first five are operated by Haring & Blumenthal and the last three by Rapf & Rudin.

Efforts to confirm the deals with Warners yesterday were unavailing.

Ann Ronnell to Sing

Ann Ronnell, sister of Division Administrator Sol A. Rosenblatt, goes into vaudeville this week at the RKO Orpheum, Omaha. The composer will sing and play some of the popular tunes she has written.

From Omaha she will go to Hollywood where she will start work on a Paramount contract.

Paramount to Continue Ban on Sales to All 10-Cent Houses

Continuing its current policy, Paramount will not sell 10-cent houses next season, it is stated. The subject, in addition to duals and preferred playing time, is highlighting regional sales meetings now being held.

The number of percentage pictures for 1934-35 has not yet been set, but it is understood each situation will be handled individually, since no blanket policy has been determined.

"Star" Urges ¾ of Pictures Be Kept Clean

KANSAS CITY, July 2.—Offering a plan for self-regulation, the *Kansas City Star* suggests that three-fourths of the industry's total output be kept clean for general consumption, the remaining one-fourth to be intended for "mature minds" and so labeled when shown. The *Star* editorially urges the plan as a solution to the widespread agitation for screen reform and as a means of forestalling legislative action. The paper's policy is to

(*Continued on page* 12)

No Waite Successor Soon, Says Schaefer

No immediate naming of a successor to Stanley Waite, Paramount divisional sales manager who died recently, is contemplated by George Schaefer, Paramount general manager, who returned to his office yesterday following the company's annual sales meeting on the coast. In the meantime, Joseph Unger, central Atlantic division manager, who has taken over

(*Continued on page* 6)

Para.-Capitol Pool Deal Awaits Action

Pooling of the Capitol and Paramount remained in status quo yesterday as representatives of both Loew's and Paramount prepared for further conferences on the proposal in the near future.

The outcome of the Loew-Warner negotiations for the Fox Metropolitan

(*Continued on page* 6)

Estimates Ohio Tax To Cost $3,000,000

CLEVELAND, July 2.—P. J. Wood, business manager of the I. T. O., estimates that the 10 per cent admission tax will net the State approximately $3,000,000 this year. Wood computes

(*Continued on page* 6)

Further Delay Looked for On Fox Met. Sale

With Loew's and Warners still some distance from a final agreement with the Fox Metropolitan bondholders' committee on a purchase of the 87 houses of the circuit last night, indications are that no deal may be struck this week.

The bidders, Loew's and Warners, and the bondholders' committee were prepared to go into court this morning and ask a further adjournment of the hearing scheduled for today before Federal Judge Julian W. Mack. Indications are that with the bondholders joining in the petition for another adjournment, the court will consent to a further delay.

(*Continued on page* 6)

Appeal Groups Sit 3 Days First Week

Code appeals committees will sit only three days this week instead of four as originally planned. Although tomorrow is Independence Day, Campi decided to postpone today's session so that local code board members who anticipate going away can do so.

At yesterday's session, the first of its kind, five appeals were heard and

(*Continued on page* 6)

Coast Indies After An Eastern Contact

LOS ANGELES, July 2.—Expressing confidence in Campi, Harry H. Hicks, president-elect of the I.T.O.A. of Southern California, today urged approximately 200 exhibitors to set up a special fund to establish representation in New York for independents on the coast.

The man to be retained will not be an attorney, but one thoroughly familiar in code matters to represent the local group particularly in clearance and zoning problems. Hicks discussed

(*Continued on page* 6)

ReviewBoard Seeks Early End of Campi

For Dismissal, Adoption Of Recommendations

WASHINGTON, July 2.—"Abrupt dismissal" of the film Code Authority and adoption of the recommendations made in its original report on the industry are urged by the National Recovery Review Board in its third and final report to the President.

The religious campaign against indecent pictures is laid squarely at the door of big producers and the code, but the punishment falls upon the small exhibitor who had nothing to do with the production of the pictures complained against or voice as to whether he would show them, the report held.

With the submission of its third report, the Darrow board went into eclipse, with Chairman Clarence Darrow resigning and going to Europe and the three remaining members of the board, W. W. Neal, Fred P. Mann and Samuel P. Henry, returning to their homes. It was explained, however, that the board has not abolished

(*Continued on page* 12)

Report Pecora in Fight on Kennedy

WASHINGTON, July 2.—Opposition to the election of Joseph P. Kennedy, former head of Pathe, to the chairmanship of the Securities and Exchange Commission, was reported brewing here today under the leadership of Ferdinand Pecora.

Kennedy was President Roosevelt's choice for a full five-year term on the

(*Continued on page* 6)

Exchange Heads May Get Film Board Jobs

Exchange managers in every key city may take over the work of Film Boards of Trade in the event those organizations are abandoned next season, it was learned yesterday.

Under this proposal, which has been advanced in several distribution quar-

(*Continued on page* 6)

No Issue Tomorrow

***Motion Picture Daily* will not publish tomorrow, July 4, which is Independence Day and a legal holiday.**

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DAILY

(Registered U. S. Patent Office)

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RKO Center Closing

The RKO Center closes July 8 to prepare for its fall opening as a stage musical house under the direction of Max Gordon, producer, M. H. Aylesworth, RKO president, stated yesterday. Reopening is set for Sept. 17.

No change in policy at the Music Hall is contemplated, Aylesworth said.

Gaumont British Moves

Gaumont British of America opened new offices in larger quarters at 1600 Broadway yesterday.

W. A. Ryan, formerly Albany branch manager for Fox, has been named special representative for Gaumont British in the up-state territory.

Marie Dressler Resting

SANTA BARBARA, July 2.—Continuing to show improvement, Marie Dressler is now able to take a liberal amount of liquid nourishment. She is resting comfortably and occasionally talks to attending physicians.

Declares P'f'd Dividend

Loew's board of directors has declared a quarterly dividend of $1.62½ per share on the outstanding $6.50 cumulative preferred stock, payable Aug. 15 to stockholders of record July 28.

Distribution Deal Closed

Raspin Prod. has just closed with the Capitol Film Exchange to distribute "Are We Civilized?" throughout the Metropolitan area.

Insiders' Outlook

Atlantic City, July 2.

A PEPPY and enthusiastic bunch, this Columbia crowd, last to go into a sales convention but aspiring no end to something akin to close-to-the-top honors for the new season. This column told you weeks ago Harry Cohn was heading toward a flock of "A" pictures for '34-35. The Columbia lineup, which appears elsewhere in this edition today, demonstrates the veracity of the tip. The fuss which the company is turning loose on its intention of seeking more preferred playing time links up with production plans, made and announced and to be made and announced later. Columbia is swinging sharply toward names and starring pictures as part of its more ambitious program. . . .

▼

Elsewhere. Herb Yates is president of Consolidated Film Industries. Consolidated is in a lot of businesses, but they're all offshoots of its principal enterprise, lab printing. Remembering this makes it easier to understand the why of that deal which gives Consolidated possession of RKO's six per cent secured notes. The paper carries it with voting privileges which very easily could mean that Radio's prints will be turned out in Consolidated labs and not Pathe. Instances are not wanting where Yates has financed important companies merely to keep his machines occupied. . . .

▼

The spokesman who appears thereafter is partisan in his point of view. His interests rest with the bondholders. Barring that, if you like, here is his reason why a stock assessment—$2 a share on the common—is a necessary contingency which Paramount shareholders will have to meet: "There is considerable cash on hand, it is true. There are, however, mortgages on valuable theatre properties which must be met if the company is to avoid relinquishing its interest in those properties, acquired at a very considerable cost. The money must come from some place." . . .

▼

More on the same situation. Same spokesman, same interests, denies bondholders are even attempting to negotiate a "squeeze play" which will crowd the owners of over 3,000,000 shares of common outstanding when the Paramount reorganization finally is pieced together. There's been some talk, maybe irresponsible, maybe not, of this. "The real bona fide stockholders rate a definite status in the picture. They'll get it. In the second division, however, are to be found stockholders deliberately or accidentally enmeshed in speculation which seeks a killing and a quick bow out of the picture. They rate little consideration." Admitted is the difficulty of distinguishing the worthy from the unworthy, the appellations being his, not ours. . . .

▼

No unanimity of opinion prevails at Paramount over releasing time on the Mae West picture. George Schaefer said in Chicago the other day July 19 may be the date, conceding in the same breath that the dry cleaning may take longer. . . . As a matter of fact, the picture which puts a serious crimp into its owner's earning power by remaining in the studio, may go over until the fall. This is not remote as a possibility. The lambasting directed at the business from church quarters today makes the West films natural for attack, and that's a bit unfair, for the picture has not been publicly shown anywhere throughout America.

▼

Demonstrating with significance what a delicate problem this widely disturbing question of outside opinion on pictures can be is the case of "Little Miss Marker" in Omaha. There the Catholic Standards Committee voted thumbs down one day ahead of opening at the Orpheum. Six days earlier the International Federation of Catholic Alumni had recommended it. The Omaha group explained its ideas were not always in accord with the International's and let it go at that. Two groups within the same faith thus view a given situation differently to the confusion of the producer and the exhibitor. How to solve it, particularly in a case like this where the subject matter is emphatically more wholesome than objectionable? A lot of eager ears are searching for the answer. . . .

KANN

Eastman Pfd. Off 2 on Big Board

	High	Low	Close	Net Change	Sales
Columbia Pictures, vtc.	29	28⅞	28⅞	— ⅛	200
Consolidated Film Industries	3⅛	3⅛	3⅛	+ ⅛	100
Eastman Kodak	97	96⅝	96⅝	— ⅞	100
Eastman Kodak, pfd	146	145	145	—2	10
Fox Film "A"	13⅜	13⅜	13⅜	.....	300
Loew's, Inc.	28¼	27¾	28	— ½	2,300
Loew's, Inc., pfd	92	92	92	+ ¾	100
M-G-M, pfd.	26½	26½	26½	.....	100
Paramount Publix	3¼	3¼	3¼	.....	400
Pathe Exchange	2¼	2	2	.....	400
Pathe Exchange "A"	19¾	19⅝	19¾	— ¼	100
RKO	2⅛	2⅛	2⅛	.....	400
Universal Pictures, pfd	38	38	38	.....	10
Warner Bros.	5⅜	5⅛	5⅛	— ⅛	2,300

Technicolor Up ⅛ on Curb

	High	Low	Close	Net Change	Sales
Technicolor	14	13⅛	13⅛	+ ⅛	700

Bond Issues Show Losses

	High	Low	Close	Net Change	Sales
General Theatre Equipment 6s '40	8½	8½	8½	— ⅛	1
General Theatre Equipment 6s '40, ctf.	8½	8½	8½	— ¼	9
Loew's 6s '41, ww deb rights	100	99⅞	100	— ½	3
Paramount Broadway, 5½s '50	41½	41¾	41½	—1½	5
Paramount Publix 5½s '50	50⅛	50⅛	50⅛	.....	3
Pathe 7s '37, ww	98⅛	98⅛	98⅛	+ ⅛	1
RKO 6s '41, pp	31	29	29	—4⅛	3
Warner Bros. 6s '39, wd	55	54	54	—1	40

Purely Personal

WALTER WANGER, JOSEPH C. BERNARD, French producer; ALFRED LUNT, LYNN FONTAINE and CHARLES COCHRAN, London theatrical producer, arrive today on the *Ile de France.*

FRANK MCCARTHY, eastern sales manager for Universal, is one of those dignified executives who never removes his coat even with the mercury in the "90's."

SIDNEY SAMUELSON isn't feeling so well these days. He'll try to be on hand today for the Allied of New Jersey meeting.

HENRI DIAMONT-BERGER and BERNARD NATAN are back from the coast and plan to sail for France Saturday.

HOWARD C. CULLMAN has sent S. R. KENT a telegram congratulating him on "Baby, Take a Bow."

GENEVIEVE TOBIN, who arrived from a European vacation last week, leaves for the coast tomorrow.

SAMUEL HOPKINS ADAMS' novel, "The Gorgeous Hussy," has been bought by Radio.

GARY and MRS. COOPER are en route to New York from Hollywood on a vacation.

SAUL E. ROGERS returns Thursday from an Independence Day vacation sailing.

JOE BREEN, who left here over the week-end, is due back in Hollywood today.

HARRY C. ARTHUR has gone to St. Louis and will be there all week.

PETER ARNO is in from the coast and stopping at the Warwick.

JOE O'REILLY leaves for a Honolulu vacation Thursday.

IRVING SHIFFRON is boasting again.

REPORT ON "OPERATOR 13"

TRADE PAPER EDITORS PLEASE NOTE!

1-**BUSINESS** is excellent everywhere.

2-**MARION DAVIES'** work is praised in all press notices. Consensus of opinion indicates that this star's box-office draw is considerably enhanced by "Operator 13" following directly after her popular appearance in "Going Hollywood."

3-**ADVERTISING** angles incorporated in press sheet and Hearst newspaper campaign are being used to good advantage by showmen.

4-**CO-STARRING** of Marion Davies and Gary Cooper is proving a happy selection for fans and all promotion stresses star names.

5-**WEALTH OF SELLING** material pleases theatre managers. JEAN PARKER is getting especial attention, also Ted Healy and Four Mills Brothers.

6-**SONG EXPLOITATION** very helpful. "Sleepy Head" and "Jungle Fever" getting wide radio plug.

Respectfully submitted by Leo of M-G-M

$2

THE WORLD MOVES ON

"THE LOVE STORY OF A CENTURY"

MADELEINE CARROLL
FRANCHOT TONE

Produced by Winfield Sheehan
Directed by John Ford
Story and screen play by Reginald Berkeley

WORDS FOR A $2 SMASH

Film Daily: "**Will give any fan his money's worth, even at road-show prices.** Invested with wide appeal. Ranges from languorous smoothness in the love scenes to rapid-fire action." N. Y. American: "**A notable addition to cinema's best** . . . an important event in the annals of motion picture history. A deeply stirring tale. Madeleine Carroll's is a deeply stirring performance." New York Daily News: "**A lavish production, made on a grand scale** with beautiful sets and fine photographic effects." N. Y. Daily Mirror: "Massive and spectacular film . . . **magnificent drama . . . stirring and impressive love story** . . . told with clarity and brilliance. Madeleine Carroll gives another sensitive and fine performance." N.Y. Evening Journal: "**Lovely, talented Madeleine Carroll makes her American debut an effective one.** Filmed on a lavish scale." N. Y. World-Telegram: "**Splendidly done. One of the most lavish and well-acted of the chronicle films** . . . a sterling and sympathetic exhibit . . . poignant and realistic." N.Y. Sun: "An ambitious undertaking...has plenty to offer as entertainment. Its presence at the Criterion augurs well for the new season. **Hollywood has produced another epic.**"

●

"ITS PRESENCE AT THE CRITERION AUGURS WELL FOR THE NEW SEASON!"

—New York Sun

Now Playing
Two-a-day
CRITERION
THEATRE
New York
City

FOX

Further Delay Looked for On Fox Met. Sale

(Continued from page 1)

Judge Mack stated at an earlier hearing that the bondholders' voice would carry the greatest weight in any final action taken by the court.

Skouras and Randforce, operators of the Fox Met circuit under the receivership, and slated to continue in that capacity for the bondholders in the event no deal is consummated with outside bidders for the circuit, have vigorously opposed the several postponements of the court proceedings during the past few weeks. In each instance, however, Judge Mack has overruled their objections and advised them that any losses sustained by them since the date of the formal presentation of the joint Loew-Warner $4,000,000 bid could be charged against the circuit if and when a deal was consummated.

Meetings Held Daily

Loew and Warner representatives have been meeting almost daily with a sub-committee of the Fox Met bondholders' committee in an effort to effect an agreement on the terms of a sale of the circuit's assets. The Loew-Warner offer contemplates acquisition of the assets by the bondholders who would then sell their 87 leases and titles to Loew-Warner for $4,000,000. The bondholders' committee prefers to sell only its deposited bonds to the bidders, thus placing the burden of reorganization upon Loew's and Warners.

There are approximately $1,000,000 of Fox Met bonds which have not been deposited with the committee, which represents slightly more than 85 per cent of a $12,500,000 issue. The Loew-Warner group fears that a purchase of the bonds, rather than the circuit's assets, would subject it to payment of heavy premiums before the balance of 15 per cent of the bond issue could be acquired. Reports were current yesterday that the bondholders' committee was ready to concede this point to the Loew-Warner group and make the sale one of assets rather than of bonds. No confirmation could be obtained, however. A reliable source stated that while concessions had been made by both sides, a complete agreement was still some distance away.

The likelihood still persists, too, that a new bidder may enter the picture in the next few days.

Report Pecora in Fight on Kennedy

(Continued from page 1)

commission, the seniority thus bestowed on him weighing heavily in his favor as a logical choice for the chairmanship. Pecora is said to base his opposition on evidence developed at the recent Senate investigation of stock market operations which revealed Kennedy as a participant in the so-called alcohol stock pool of 1933.

A compromise proposal of naming Kennedy chairman to serve until Jan. 1 only, is reported.

Exchange Heads May Get Film Board Jobs

(Continued from page 1)

ters, no Film Board offices would be maintained, but the branch managers of member companies of the M.P.P.D.A. would meet regularly to dispose of the more significant and urgent work formerly handled by the Film Boards, it was stated.

Augmenting the local groups and maintaining a direct contact between them, New York and other localities would be several Film Board agents, appointed to work in the field with roving commissions.

The plan, it was emphasized, is merely one of several proposals on tap which may be the answer to the Film Boards' future. A definite recommendation is expected from a committee, consisting of Abe Montague, Neil Agnew and Al Lichtman, appointed for the purpose, in the near future.

Para.-Capitol Pool Deal Awaits Action

(Continued from page 1)

circuit and final release of Paramount's new Mae West picture are reported to have a bearing on the current delay. Though denied, reports persist that if the Loew-Warner bid for Fox Met is consummated, all Warner Broadway houses would be turned over to Loew's, in which event the Capitol-Paramount pool probably would be abandoned. The Mae West picture was slated to be the first to play the Capitol under the pooling arrangement. Re-makes have delayed its release and no outstanding picture is available to take its place as the first booking on the Capitol's non-stage show policy, which would become effective with the pooling.

No Waite Successor Soon, Says Schaefer

(Continued from page 1)

Waite's duties on a temporary basis, will continue to do double duty by handling both divisions.

Schaefer verified reports that the new title of the Mae West picture would not be "That St. Louis Woman," as indicated earlier on the coast. Screencraft Prod. has already completed a picture using that title and will release it soon. The new West picture will be re-titled and released as soon as remakes now in progress have been completed, it was stated.

Third Para. Regional On

WASHINGTON, July 2.—Arriving from Dallas and Atlanta, Joseph J. Unger today held the first of a two-day Paramount regional at the Shoreham Hotel here. He returns Wednesday to New York where the last of four regionals will take place at the Waldorf Astoria Thursday and Friday.

Neil Agnew and Charles Wiggin return from the coast Saturday.

L. I. Rezoning Up Today

Rezoning of Long Island will be discussed today by the advisory committee of the New York clearance and zoning board. The schedule was to have come up yesterday. No grievances are on tap today, marking a second holiday in two weeks for this board.

Appeal Groups Sit 3 Days First Week

(Continued from page 1)

discussed. The only one for which witnesses appeared was the case of Leon Rosenblatt against Dave Weinstock, the latter being charged with negotiating for the Orpheum, Jersey City, while Rosenblatt was operating. The New York grievance board recently refused to decide on the issue. Other cases involved reduced admissions and overbuying.

Gradwell Sears, Harry Shiffman and Leslie E. Thompson acted as the first committee and recommended decisions.

J. Louis Geller is the independent exhibitor who will sit at Thursday's session.

Until a list of committee nominees is approved, members of local boards are being enlisted to sit from day to day. Members of code boards from out of town also are eligible and are being asked to sit in on hearings when in town.

The first group of names submitted to Campi was turned down by the body and ordered revamped. The second list is expected to be ratified July 12.

Coast Indies After An Eastern Contact

(Continued from page 1)

the clearance and zoning program he brought back from New York and stated all will be given a chance to talk at protest hearings.

Ben Berinstein, president, appealed for funds for the eastern representative idea, declaring that unless everyone contributed the organization might as well fold.

Mrs. John Vruwink of the University group of California M. P. Council talked on censorship cooperation and emphasized importance of family night programs. Mrs. William Burke, chairman of Federated Women's Clubs, also commended family entertainment. Mrs. Leo B. Hedges, chairman of the M. P. division of the Parents Teachers Assn., pleaded for the return to family entertainment.

Cleveland's Indies Threaten an Appeal

CLEVELAND, July 2.—If the clearance board renders a decision granting 365 days protection over any theatre playing double features, such a decision will be appealed to Code Authority.

M. A. Lebensburger, manager of the local First Division branch, has made a formal objection to such a plan. Lebensburger states that his company, along with other local independents, will enter the appeal.

All Cleveland theatres which were in operation at the time the agreement was signed, are set to go to single features on July 8. However, since the signing of the agreement, several houses which had been closed are to be opened by exhibitors who were not previously in the field. These houses, it is said, will offer dual bills. The Temple is the first to dual.

Stewart in New Post

PORTLAND, July 2.—Howard Stewart, member of the John Hamrick staff and recently at the Music Box, has been named manager of Hamrick's Oriental.

Broad Change In NRA Seen By New Order

WASHINGTON, July 2.—Broad changes in the National Recovery Administration involving possibly the retirement of Gen. Hugh S. Johnson, to be succeeded by Clay S. Williams, North Carolina industrialist who has played an important part on the business advisory and planning council of the Department of Commerce, were today presaged by publication by the White House of an executive order signed by the President just prior to his leaving Washington today.

The order creates an industrial emergency committee to centralize administration under one head of the heretofore uncoordinated activities of emergency agencies dealing with problems of industrial recovery, labor disputes, relief and public works.

Donald R. Richberg, chief counsel of the National Recovery Administration, will head the new committee and will also serve as executive secretary of the executive council and executive director of the National Emergency Council during the absence on vacation of Frank C. Walker. Richberg has been detached from the recovery administration to devote his entire attention to his new duties. The other members of the new committee are Secretary of the Interior Ickes, Secretary of Labor Perkins, Recovery Administrator Johnson and Emergency Relief Administrator Hopkins.

With Richberg at the head of the three bodies, the former general counsel of the recovery administration becomes one of the President's chief lieutenants and a major factor in determining the policies of the organization in which he was formerly second man.

Estimates Ohio Tax Will Cost $3,000,000

(Continued from page 1)

this on the average monthly tax collection of $300,000. With the clean film movements costing the exhibitors another yearly $3,000,000, Wood urges every exhibitor in the state to get behind the proposed general sales tax as the only possible method of their survival during the coming year. Only an adequate general sales tax, Wood contends, will relieve theatres of the present 10 per cent nuisance tax.

Roxy, Music Hall Repeat

With the Roxy and Music Hall grosses holding unusually well over the week-end, despite the heat, "Baby, Take a Bow" holds over at the former house and "Of Human Bondage" stays another stanza at the Sixth Ave. theatre. More than 48,000 persons attended the Roxy giving the house a take of $13,700 for the three days.

The Rialto with "Murder on the Blackboard" garnered a weak $9,500.

Pola Negri Wins Claim

WASHINGTON, July 2.—Pola Negri today was given a tax abatement of $28,853, resulting from an over-assessment on her 1926 return, according to the Bureau of Internal Revenue.

"Marker" and Ellington Big In Pittsburgh

PITTSBURGH, July 2.—Considering the heat, business in town wasn't bad last week. Big money went to the Penn, where the combination of "Little Miss Marker" and Duke Ellington's band proved a winner at $23,000. The Fulton also topped average by almost $1,000, getting around $5,400 with "Such Women Are Dangerous" and the Baer-Carnera fight pictures.

Other grosses were only moderate, although the Warner bettered par with "No Greater Glory" and "The Most Precious Thing in Life" at $5,300. The Stanley slipped considerably with "Many Happy Returns" at $6,700, and the Regent, with "Let's Talk It Over" and "The Love Captive," hit a new low at $1,100.

Total first run grosses were $42,000. Average is $41,000.

Estimated takings for the week ending June 30:

"SUCH WOMEN ARE DANGEROUS" (Fox)
BAER-CARNERA FIGHT
FULTON—(1,750), 15c-40c, 6 days. **Gross:** $5,400. (Average, $4,500)

"LITTLE MISS MARKER" (Para.)
PENN—(3,300), 25c-75c, 6 days. Stage: Duke Ellington's band with Ivie Anderson, Snakeships Tucker, Palmer Bros. and Miller Bros. **Gross:** $23,000. (Average, $21,000)

"MANY HAPPY RETURNS" (Para.)
STANLEY—(3,600), 25c-50c, 6 days. **Gross:** $6,700. (Average, $9,000)

"LET'S TALK IT OVER" (Univ.)
"THE LOVE CAPTIVE" (Univ.)
REGENT—(900), 25c-35c, 6 days. **Gross:** $1,100. (Average, $1,500)

"NO GREATER GLORY" (Col.)
"MOST PRECIOUS THING IN LIFE" (Columbia)
WARNER—(2,000), 25c-40c, 6 days. **Gross:** $5,300. (Average, $5,000)

Protest Stops Run Of Hitler Picture

BUFFALO, July 2.—"Hitler's Reign of Terror" was withdrawn from the Hollywood here today after two showings, as a result of protests having been filed against the showing of the film by Alphonse Karl, German consul here, and Herman Schmidt, in behalf of the German-American United Front. Basil Bros., operators of the Hollywood, had leased it to Jewel Prod. for this picture, but closed the house when protests were made.

Al Leonze, Jewel representative, declared the withdrawal was only temporary and the film will be shown at another Buffalo theatre shortly.

PORTLAND, July 2.—"Hitler's Reign of Terror," which was set in seven Pantages houses here, has been canceled after a three-day run on the protest of A. H. Closterman, German Consul, and others.

McGowan to Do Shorts

HOLLYWOOD, July 2.—Negotiations have been completed for Robert McGowan to produce and direct 13 one-reel "Variety" shorts for Paramount at the Mack Sennett studios. The group will be made in Technicolor.

Change Crawford Title

HOLLYWOOD, July 2.—M-G-M has changed the title of the Joan Crawford picture, "Sacred and Profane Love," to "Chained."

MOTION PICTURE DAILY'S HOLLYWOOD PREVIEW

"Stamboul Quest"

(M-G-M)

HOLLYWOOD, July 2.—Romantic, dramatic and packed with showmanship is this entertaining and well knit story of Germany's number one woman spy and her heart affair with an American in Berlin and Constantinople.

Myrna Loy, ravishing with enhanced allurement and in love with George Brent, knows what Mata Hari fate awaits her if her feelings surmount her duty.

Resourceful Brent, having followed her to Constantinople, becomes tangled with her rendezvous until Miss Loy reveals her job. While permitting her to uncover the duplicity of a Turk, Henry Gordon, in testing her for complete loyalty, Lionel Atwill, her chief, informs her of Brent's death. This unbalances her mind. A prelude and an epilogue in a nunnery link romance for a happy ending. The production is classy and arresting.

Miss Loy gives a convincing performance. Brent, as a light-hearted, romantic American, discloses ability hitherto unrevealed. Gordon is silky and finished as the heavy. Sam Wood's direction is smooth, imaginative and craftmanlike. Herman Mankiewicz adapted from Leo Birinski's story. Name values, interest in espionage and counter espionage, warm romance before hair trigger events, and the suspense engendered made this a sure-fire attraction. Running time, 87 minutes.

"Our Daily Bread"

(United Artists)

HOLLYWOOD, July 2.—Departing from the usual romantic film formula and using broad, simple strokes without the modern screen technique, King Vidor wrote, produced and directed a film which should cause comment and controversy even though its box-office destiny is problematical.

Based on the present economic dislocation and fundamental philosophy, it reveals a boy and a girl battling conditions together. They go back to the land, assembling thereon individuals and families, flivvering nowhere until their gas gives out.

Butchers, bakers, masons, carpenters, farmers, musicians and tailors contribute their talents, uniting in their common effort for the common weal. Drought halts their victory, but by superhuman courage they dig water through to their fields. This work and the flow of the water hits dramatic peaks charged with rhythmic action.

The production is earthy, nature being the villain, with the people assuming pioneer proportion. Tom Keene and Karen Morley play the leads, with Miss Morley's sympathetic, finely tuned performance overshadowing Keene's. Addison Richards is a standout as an ex-convict. Barbara Pepper reflects her appellation.

Without marquee names, the basic, provocative idea may stir word of mouth to attract the customers. Running time, 90 minutes.

"Charlie Chan's Courage"

(Fox)

HOLLYWOOD, July 2.—Based on Earl Derr Biggers' novel, "The Chinese Parrot," this measures up to the formula of previous Chan mystery thrillers and carries enough suspense to make it entertaining.

Treatment, despite forced characters and situations, results in Warner Oland, playing the part of Chan, carrying the load of acting. It will please those seeking this type of story.

It's locale is San Francisco and Palm Springs with the plot centered around a band of crooks trying to obtain a rare string of pearls in the possession of Chan, with whom they had been entrusted for delivery to a new buyer. The battle of wits between the gang and Chan makes it sufficiently interesting to sustain suspense until the last frame. This, of course, overshadows the romance between Drue Leyton and Donald Woods. The subtle, nonchalant antics of Chan inject a few spatterings of humor, enough to keep the mystery element from becoming too heavy. With the colorful desert scenery, the picture is mounted artistically and is pleasing to the eyes. George Hadden directed and Hal Mohr photographed from screen play by Seton I. Miller. Running time, 74 minutes.

Additions to Lasky List

HOLLYWOOD, July 2.—"The White Parade" and "Casanova, the Immortal Lover" are additions to Jesse L. Lasky's program to be produced for Fox. This makes a total of eight.

Westmore Recovering

HOLLYWOOD, July 2.—Wally Westmore, chief makeup artist at Paramount, is recovering from a rush appendicitis operation performed at the Hollywood Hospital.

"Operator 13" And Band Big Cleveland Hit

CLEVELAND, July 2.—In spite of a continued heat wave, Loew's State had an outstanding gross of $14,000, up by $4,000, on "Operator 13" and Phil Spitalny and his band.

One other house, Warners' Lake, succeeded in reaching a par $2,000 on "The Party's Over" and "The Crime of Helen Stanley."

Total first run business was $33,400. Average is $34,000.

Estimated takings for the week ending June 29:

"HALF A SINNER" (Univ.)
ALLEN—(3,300), 20c-30c-40c, 7 days. **Gross:** $2.800. (Average, $3,000)

"CIRCUS CLOWN" (F. N.)
WARNERS' HIPPODROME—(3,800), 30c-35c-44c, 7 days. **Gross:** $4,100. (Average, $5,000)

"THE PARTY'S OVER" (Col.)
"THE CRIME OF HELEN STANLEY" (Columbia)
WARNERS' LAKE—(800), 30c-40c, 7 days. **Gross:** $2,000. (Average, $2,000)

"COCKEYED CAVALIERS" (Radio)
RKO PALACE—(3,100), 30c-35c-44c, 7 days. **Gross:** $7,500. (Average, $10,000)

"OPERATOR 13" (M-G-M)
LOEW'S STATE—(3,400), 30c-35c-44c, 7 days. Added attraction: Phil Spitalny and his 32-girl band. **Gross:** $14,000. (Average, $10,000)

"PRIVATE SCANDAL" (Para.)
"CITY LIMITS" (Monogram)
LOEW'S STILLMAN—(1,900), 20c-30c-40c, 7 days. **Gross:** $3,000. (Average, $4,000)

Tec-Art Hearing to Be Held on Friday

LOS ANGELES, July 2.—Hearing on the trustee's report, petition for a final dividend and a petition for sale or abandonment of uncollected accounts of Tec-Art Studios will be held Friday by Referee Rupert B. Turnbull.

The report shows receipts of $22,205.17, disbursements of $17,901.79, with a balance on hand of $4,303.38. Claims proved and allowed total $117,602.08. Additional claims filed are $683.20. Fees applied for are: William H. Moore, Jr., trustee, $362.05; Charles J. Katz and Walter C. Durst, attorneys for trustee, $1,400.

Coast Board Sets Date

LOS ANGELES, July 2.—In the grievance case of Vitagraph vs. A. R. Miller, operator of the Baldwin Park, the board has prepared a resolution stating that Miller must start dating his pictures by July 6, or a desist order will be sent to all film companies to prevent him from getting prints.

Collier with Ad Firm

HOLLYWOOD, July 2.—Robert Collier, former director of advertising and publicity for F. W. C., and more recently connected with F. & M. in an executive capacity, has become affiliated with the Biow Co. as account and radio executive. Collier left for New York last week.

Tracy in Hospital

HOLLYWOOD, July 2.—As a result of a fall from a horse while riding at the Riviera Country Club, Spencer Tracy is in Hollywood Hospital today where Dr. William Branch is treating him for strained muscles of the back. Tracy expects to be confined to bed for a week.

FOUR STARS

★ ★

WANDA HALE in N. Y. DAILY NEWS (FOUR STARS ★★★★)

Yesterday's premiere audience at the Music Hall broke out in unrestrained applause. Radio Pictures has turned out in "Of Human Bondage" a picture that is at once absorbing, intense and convincing. Such a piece of filmcraft certainly could not have been turned out with any actor of less brilliance than Leslie Howard, who invests his role with a sympathy and an understanding that fit almost exactly the fine and sensitive demands of the W. Somerset Maugham classic ... here we find Bette Davis doing a job that is so revealing as to make one ask, "Where's that girl been all this while?"... deserved glory.

REGINA CREWE in N. Y. AMERICAN

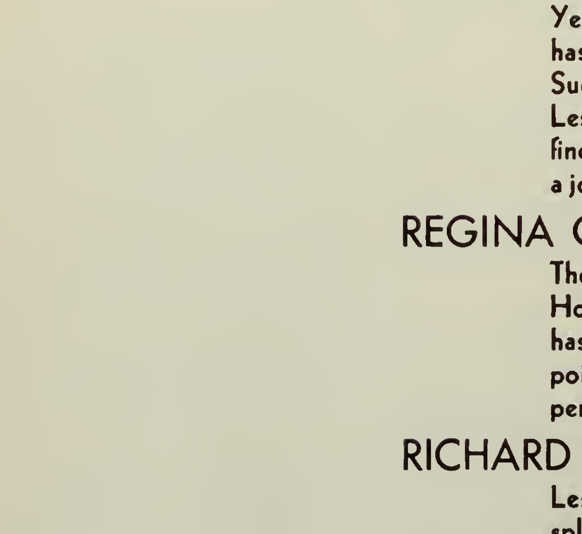
The milling throngs that stormed the Radio City Music Hall yesterday attested to the fact that a Hollywood hero does not necessarily have to be an Adonis or a crooner to succeed. Leslie Howard has made an indelible impression on the minds of men and the hearts of women . . . the film is a poignant portrait, sympathetically treated by Director John Cromwell and glossed by the polished performances of an unusually fine cast.

RICHARD WATTS, JR. in N. Y. HERALD TRIBUNE

Leslie Howard must certainly be the most satisfying actor on the English-speaking stage. There is a splendid air of rightness about everything he does. Thereupon, the mere fact of his appearance in the screen edition of that brilliant novel, "Of Human Bondage", provides the picture with dignity, power and dramatic effectiveness. As a photoplay, "Of Human Bondage" is definitely superior to the average ... well written ... good photoplay, made something more than that by Mr. Howard's perfect performance.

WILLIAM BOEHNEL in N. Y. WORLD-TELEGRAM

A dignified, sensitive, eminently satisfying screen treatment has been accorded "Of Human Bondage". W. Somerset Maugham's magnificent story ... the film now on view at the Radio City Music Hall emerges a distinguished contribution to the cinema ... adapted by Lester Cohn with such fine appreciation for the muted sorrow that is hidden in the novel's pages ... that it has, as precious few films can claim to have, a true beauty in its writing. John Cromwell has done an extra fine job of direction, and the performances are excellent. Leslie Howard comes off with the first honors.



Film DAILY

"Bondage" Opens Big

RKO's "Of Human Bondage," on its opening day at the Music Hall, played to the best receipts of any picture since "Cavalcade" and "Little Women." Indications are that the picture will be held over a second week.

LESLIE H

IN W. SOMERSET MA

"OF HUMAN

RKO-RADIO PICTURE

WITH **BETTE DAVIS..** FRANCES DEE..KAY JC

• • N. Y. DAILY NEWS

BLAND JOHANESON in N. Y. DAILY MIRROR

A brilliantly acted film version of the Maugham novel.

Miss Davis will astound you . . . a dramatic character actress of overwhelming power. Touching and infinitely tender, it is a simple description of a devastating fascination. Leslie Howard's performance is exquisite. He plays it with his usual warmth, tenderness and understanding.

MORDAUNT HALL in N. Y. TIMES

The very lifelike quality of the story and the marked authenticity of its atmosphere cause the spectators to hang on every word uttered by the interesting group of characters . . . one might be tempted to say that his portrait of Philip Carey excels any performance he has given before the camera. No more expert illustration of getting under the skin of the character has been done in motion pictures.

Another enormously effective portrayal is that of Bette Davis . . . outburst of applause when the film came to an end. John Cromwell, the director, has given many a subtle and imaginative touch to his scenes. There is nothing stereotyped about this film.

EILEEN CREELMAN in N. Y. SUN

Once in a while it happens that a fine book may become a fine picture. Of Somerset Maugham's modern classic, "Of Human Bondage", be it gratefully recorded, this is true.

Adaptor Lester Cohen, and director John Cromwell, have treated the book with honesty and vigor.

Leslie Howard, of course, is perfectly cast . . . Bette Davis's portrayal of the tawdry Cockney waitress, a performance as humorous as it is powerful, was something of a surprise. This Miss Davis is an actress rather than a screen beauty in this difficult part. It is, this "Of Human Bondage", a picture to be seen.

ROSE PELSWICK in N. Y. EVENING JOURNAL

In transferring "Of Human Bondage" to the screen, director John Cromwell and adaptor Lester Cohen have done well . . . with intelligent understanding, those responsible for the picture have made it a sombrely interesting narrative. Bette Davis sheds the artificiality of her previous parts, and her portrait of the tawdry waitress, Mildred, is excellent even to her Cockney accents . . . yesterday noon's Music Hall audience broke into enthusiastic applause.

The picture is handsomely mounted and was obviously filmed with a great deal of care and thought.

HELD OVER
SECOND WEEK
Radio City Music Hall
In the hottest weather in New York's history . . . .

OWARD

HAM'S GREAT NOVEL

BONDAGE"

ON..REGINALD DENNY..DIRECTED BY JOHN CROMWELL

PANDRO S. BERMAN
EXECUTIVE PRODUCER

Columbia Conventioneers at Their Opening Session

Columbia Sets 26 Of 48 New Titles

(*Continued from page* 1)

G. Robinson-Howard Hawks production, one with Claudette Colbert, one co-starring vehicle with Jack Holt and Edmund Lowe, and two starring vehicles for Jack Holt. This is to be known as the "March On" group.

Individual announcements will be made from time to time on eight specials, it was stated.

Eight Tim McCoy westerns will be included.

The shorts list will be made up of 26 two-reel comedies featuring Harry Langdon, Andy Clyde, Leon Errol and Walter Catlett. Eight single-reel series will include "Color Rhapsodies," "Krazy Kat" cartoons, "Scrappy" cartoons, "Laughing With Medbury" travelogues, "Life's Last Laughs" produced by C. S. Clancy; "Spice of Life," produced by Mentone Prod. from material selected from the *Literary Digest;* "World of Sport," and "Screen Snapshots."

The list follows:

"Broadway Bill," a Frank Capra production. Adapted from Mark Hellinger's short story "Strictly Confidential," with Warner Baxter, Myrna Loy, Raymond Walburn, Lynn Overman, Clarence Muse, Sterling Halloway.

Another Frank Capra production.

"One Night of Love," with Grace Moore, a musical based on the stage play by Dorothy Speare and Charles Beahan. Directed by Victor Schertzinger.

"Feather in Her Hat," by I. A. R. Wylie, best seller.

An Edward G. Robinson-Howard Hawks production.

"Party Wire," from the Bruce Manning best seller.

A Claudette Colbert production.

"Maid of Honor," from the *Cosmopolitan* story by Katharine Brush.

"Carnival," by Robert Riskin. Described as a dramatic romance.

"The Girl Friend," musical extravaganza by Herbert Fields, Richard Rodgers and Lorenz Hart, featuring Jack Haley and Lupe Velez. Russell Mack director. A William Rowland production.

A Jack Holt-Edmund Lowe production. Comedy.

"Lady Beware," comedy drama.

"Black Room Mystery," starring Boris Karloff.

"Sure Fire," from the play by Ralph Murphy. Starring Gene Raymond and Ann Sothern.

"Mills of the Gods," drama by Melville Baker and Jack Kirkland.

"Depths Below," melodrama starring Jack Holt.

Two additional Jack Holt starring vehicles.

"Breakfast for Two," honeymoon farce.

"Eight Bells," stage drama by Percy G. Mandley.

"Once a Gentleman," from the Bradley King story.

"That's Gratitude," stage comedy by Frank Craven.

"Spring 3100," melodrama from the stage play by Argyll Campbell.

"Man Proof," comedy drama.

"Murder Island," from the story by Leland Jamieson. Aviation background.

"Mistaken Identity," story of a girl who lived another woman's life.

"Lady of New York," sophisticated girl story with New York background.

"Private Property," girl story with principal character enmeshed in intrigue.

"Unknown Woman," girl story.

"$25 an Hour," stage comedy by Gladys Unger and Leyla Georgi.

"I Confess," listed as the story of a girl who bared her heart to the world.

What They're Down For

ATLANTIC CITY, July 2.—Two musicals are included in the Columbia lineup, one to be produced by William Rowland with Russell Mack directing. It will be "The Girl Friend" and will star Russell Mack and Lupe Velez. The other is "One Night of Love" starring Grace Moore.

An important co-starring vehicle will have Jack Holt and Edmund Lowe.

The lineup so far set follows:

Women Players

CLAUDETTE COLBET in an untitled starring vehicle.
MYRNA LOY—"Broadway Bill."
GRACE MOORE—"One Night of Love.."
ANN SOTHERN—Starring in "Sure Fire" with Gene Raymond.
LUPE VELEZ—"The Girl Friend."

Men Players

ROBERT ALLEN—"Broadway Bill."
JACK HALEY—"The Girl Friend."
STERLING HALLOWAY—"Broadway Bill."
JACK HOLT—One co-starring with EDMUND LOWE; starring alone in "Depths Below" and two others.
BORIS KARLOFF—"Black Room Mystery."
EDMUND LOWE—Co-starring in one with Jack Holt.
TIM MCCOY—Eight untitled westerns.
CLARENCE MUSE—"Broadway Bill."
LYNN OVERMAN—"Broadway Bill."
GENE RAYMOND—Starred in "Sure Fire."
EDWARD G. ROBINSON—Special with HOWARD HAWKS directing and with ANN SOTHERN.
RAYMOND WALBURN—"Broadway Bill."

Directors

FRANK CAPRA—"Broadway Bill" and one other.
HOWARD HAWKS—Special with EDWARD G. ROBINSON starred.
RUSSELL MACK—"The Girl Friend."
WILLIAM ROWLAND—Producer of "The Girl Friend."
VICTOR SCHERTZINGER—"One Night of Love."

Columbia's List Names 56 Stars; 16 Directors

ATLANTIC CITY, July 2.—Listed in the talent under contract for Columbia's new season list are 56 stars and featured players, 16 directors and producers, 22 well known authors and 20 studio writers.

The players are: Women—Jean Arthur, Mona Barrie, Patricia Caron, Nancy Carroll, Claudette Colbert, Inez Courtney, Shirley Grey, Myrna Loy, Geneva Mitchell, Grace Moore, Florence Rice, Jessie Ralph, Barbara Read, Ann Sothern, Lupe Velez and Fay Wray; men—Luis Alberni, Robert Allen, Warner Baxter, Ralph Bellamy, James Blakely, John Mack Brown, John Buckler, El Brendel, Tullio Carminati, Walter Catlett, Andy Clyde, Walter Connolly, Donald Cook, Richard Cromwell, Allyn Drake, Leon Errol, Larry Fine, John Gilbert, Jack Haley, Richard Heming, Arthur Hohl, Jack Holt, Jerry Howard, Moe Howard, Boris Karloff, Fred Keating, Harry Langdon, Peter Lorre, Edmund Lowe, Tim McCoy, George Murphy, Clarence Muse, Lynn Overman, Arthur Rankin, Gene Raymond, Edward G. Robinson, Charles Sabin, Lyle Talbot and Raymond Walburn.

Directors—Irving Briskin, Leo Bulgakov, David Burton, Frank Capra, Howard Hawks, Lambert Hillyer, D. Ross Lederman, Russell Mack, Roy William Neill, Robert North, Albert Rogell, William Rowland, Everett Riskin, Victor Schertzinger, Jules White and Felix Young.

Authors—Melville Baker, Charles Beahan, Diane Bourbon, Katharine Brush, Argyll Campbell, Frank Craven, Herbert Fields, Leyla Georgi, Lorenz Hart, Mark Hellinger, Leland Jamieson, Bradley King, Jack Kirkland, Percy G. Mandley, Bruce Manning, Ralph Murphy, Richard Rodgers, Harry B. Smith, Dorothy Speare, Leonard Spigelgass, Gladys Unger, and I. A. R. Wylie.

Studio writers—Herbert Asbury, Sidney Buchman, Vera Caspary, Harvey Gates, James Gow, Lawrence Hazard, Ethel Hill, Dorothy Howell, Judith Kandel, S. K. Lauren, Fred Niblo, Jr., Austin Parker, Roland Pertwee, Robert Riskin, Ray Schrock, Harold Shumate, Jo Swerling, John Texley, M. Coates Webster and Edmund Worth.

Caspary on "Sure Fire"

HOLLYWOOD, July 2.—Vera Caspary draws the Columbia assignment to do a treatment on "Sure Fire," which will star Gene Raymond.

Columbians Cheer Jack Cohn Speech

(*Continued from page* 1)

shifted to the latter because the motion picture reflects the thing against which the crusaders inveigh—the tendencies of the times.

"They have directed their ire against the mirror, instead of against the thing or condition reflected in the mirror.

"Sophistication is the one word that describes the fault universally charged against films. We are living in an era of sophistication and reflected in the conduct of city dwellers from coast to coast and reflected in the newspapers they read, and in American literature as a whole. To the extent that the motion picture holds the mirror up to Nature it reflects the same sophistication, against which many of us inveigh in vain.

"Like every other human effort, motion pictures have faults and shortcomings. It may perhaps prove of benefit to producers to have their errors of omission and commission forcibly brought to their attention even in so rough and unfair a manner—for I insist that indiscriminate abuse of the industry is most unfair. And in making this assertion I hold no brief for off-color entertainment."

Harry Spingold Passes

Word has been received here of the death of Harry W. Spingold, of the radio department of the William Morris Agency, from a heart attack while en route to New York from Chicago where he had been resting after a recent illness. Nate Spingold, Columbia executive, was informed of his brother's death while attending his company's sales convention in Atlantic City yesterday.

Col. Starts Eighth Short

HOLLYWOOD, July 2.—The eighth and last of Columbia's musical short series, went into production today under the direction of Archie Gotteler, who penned the script in collaboration with Ewart Adamson.

Hillyer to Do Short

HOLLYWOOD, July 2.—Columbia does number 11 of the "Minute Mystery" series this week.

"Black Moon" and Show Top Oklahoma

Oklahoma City, July 2.—"Black Moon" and a stage show for four days at the Liberty ran away with top money here last week. The $2,300 take was better than an ordinary week's business. For the last three days the house put on "Sweetheart of Sigma Chi," and this also did a good business at $1,200.

Heat hit other spots. Total first run business was $12,600. Average is $13,500.

Estimated takings for the week ending June 30:

"LIFE OF VIRGIE WINTERS" (Radio)
CRITERION—(1,700), 10c-20c-36c-41c-56c, 7 days. **Gross:** $3,500. (Average, $5,000)

"LITTLE MISS MARKER" (Para.)
MIDWEST—(1,500), 10c-26c-36c-56c, 7 days. **Gross:** $3,600. (Average, $4,000)

"LOOKING FOR TROUBLE" (U. A.)
CAPITOL — (1,200). 10c-20c-26c-36c-41c, 7 days. **Gross:** $2,000. (Average, $2,500)

"BLACK MOON" (Col.)
LIBERTY—(1,500), 10c-15c-26c-36c, 4 days. Stage: "Chicago Follies." **Gross:** $2,300.

"SWEETHEART OF SIGMA CHI" (Monogram)
LIBERTY—(1,500), 10c-15c-26c-36c, 3 days. **Gross:** $1,200. (Average week, $2.000)

Shea Firms Go Into New Operating Setup

Buffalo, July 2.—Reorganization of the companies headed by the late Michael Shea has been effected, with Buffalo Theatres, Inc., superseding the Shea Theatre Corp. and other subsidiaries except Erie Operating Co.

Stock in Buffalo Theatres, Inc., is held by the McNaughton Realty Co., Inc.; Paramount and M-G-M, and by Vincent R. McFaul, who was Shea's vice-president and general manager. McFaul becomes president and general manager of the new company. Other officers and directors will be elected next week.

Buffalo Theatres, Inc., was organized to operate Shea's Buffalo, Hippodrome and Court Street properties owned by the McNaughton company. Shea's Century, leased from Max Yellen, and the Shea community and suburban theatres continue, for the present at least, to be managed by the Erie Operating Co.

Plans Feature Comedies

Hollywood, July 2.—Jed Buell, former Mack Sennett executive, has formed Rainbow Pictures to make feature comedies in association with Joseph Klein. The latter recently arrived from New York. First feature will be "College Sweetheart" with Andy Clyde, Grady Sutton, Frankie Eastman, Mary Kornmann. The second will co-star Harry Langdon and Clyde.

Para. Signs Players

Hollywood, July 2.—Carole Lombard was signed by Paramount today to a two year contract giving the studio the exclusive use of her services. Mary Boland was also signed for six more pictures and the song writing team of Harry Revel and Mack Gordon had their option renewed for two more years.

On Aviation Board

Hollywood, July 2.—A. J. Berres, alternate member of the Studio Labor Board, has been appointed a member of the Aviation Board commission in Washington by President Roosevelt. His successor on the Labor Board has not been appointed as yet.

Ritzing It with Columbia

Atlantic City, July 2.—Sixteen branches comprising the eastern division and two Canadian branches are attending the meeting. They are Albany, Atlanta, Boston, Buffalo, Charlotte, Cincinnati, Cleveland, Dallas, Memphis, New Haven, New Orleans, New York, Oklahoma City, Philadelphia, Pittsburgh, Washington, and Toronto and Montreal. The Canadian contingent is headed by Louis Rosenfeld, W. Elman and G. H. Coplan.

•

Lou Weinberg, another member of the home office sales staff, has thrown his famous diet to the winds. "I'm here to combine relaxation with work," he declared. "How can I relax if I don't eat?"

•

Al Seligman, home office accessory sales manager, is sternly resisting the lure of the beach because of his desire to help clean up whatever final details remain to make this convention a success.

•

Milt Hannock, in charge of the contract department, has been scared to death ever since somebody slipped him the information that he would be called upon to make a speech. It's a gag, but he hasn't gotten wise to it yet.

•

George Brown, director of public relations, assisted by Exploitation Chief Lou Goldberg and Publicity Chief Ben Atwell, has done a highly effective job in making the convention city Columbia-conscious. From the railroad station, throughout the entire boardwalk, there is ample evidence that the convention is being held in town.

•

Remembering his experience with the ocean last year, General Sales Manager Abe Montague is treating that body of water more respectfully this year. He is taking no more chances of acquiring bruised ribs.

•

The passing year saw the promotion of Sam Galanty to a district managership with supervision over Washington, Pittsburgh and Cincinnati. His fellow Columbians have been taking the opportunity to extend congratulations in person. Galanty is still the perfect example of what the well-dressed man should wear.

•

Counselor Bill Jaffe was observed in a state of complete relaxation on the beach, looking as if he had been dipped in butter preparatory to frying. Taking no chances with the sun's rays he frequently applied olive oil to the epidermis.

•

Both weighing in the neighborhood of 300 pounds, "Tiny" Rogovin, New Haven manager, and Charlie Johnston, Albany manager, strolled down the boardwalk. Observing them, Joe Miller, Buffalo manager, declared, "And still people say there is a shortage of beef."

•

To Hank Brunet goes the credit for the excellent arrangements made to house the convention crowd and to his assistant, Hank Kaufman, as well. This is the first time the Columbians have stopped at the Ritz-Carlton and they seem to enjoy the change in surroundings.

•

Again Harry Weiner, Philadelphia manager, shows his interest in the entertainment welfare of his brother Columbians by obtaining for them the courtesy of the various Warner houses. Weiner has also promised some unusual entertainment surprises for the banquet, which will wind up the convention.

•

Maurice Grad, director of sales promotion, was observed jotting mysterious notes on a pad of paper. An investigation revealed that Grad helps edit the *Beacon Junior* which each day Winchellizes the activities of the boys.

•

Messrs. Rosenfeld, Elman and Coplan, wanting to be sure of the quality of their liquid refreshments, brought a generous supply of their own with them from the Maple Leaf Dominion.

•

Sam Moscow, southern district manager, was observed seated in front of a piano at the Ritz where he punished some of the old time songs for the benefit and edification of those Columbians who fancy themselves vocalists. Next to selling film the old Colonel would sooner bang away at the piano keys than anything else.

•

Art Levy, Pittsburgh manager, got off a nifty while discussing an exhibitor with whom he tried to do business last season. "The trouble with him," said Art, "is that he can't ever make up his mind. If he went horseback riding, he would mount four horses simultaneously and ride off in all directions."

Hollywood Personals

Hollywood, July 2.—Charles Butterworth standing by with a severe case of sunburn. . . . Virginia and Maxine Loomis get first roles under their Fox contract in "Fun on the Air." . . . Carl Brisson's new Benedict Canyon home will be known as "Kobenhavn." . . . Pauline Lord's highly pedigreed Pekingese' registered name is actually "Garbage," and Pauline has actually changed it to "Gaboochican." . . . Enrico Caruso, Jr., on a diet. . . . Aline MacMahon back from Broadway. Eddie Robinson, too. . . . Dorothy Dare's first with Warners in "Gentlemen Are Born." . . . Jack Oakie and Norman McLeod, a twosome at the Lakeside Golf Club. . . . Jack Haley has a new Buick. . . . Charles Laughton wants to take up polo. . . . Charles R. Rogers and Bill LeBaron lunching at Levy's. . . .

Contract Breaches Not Campi Matter

Declaring it cannot act in complaints involving breach of contract and designation of preferred playing dates, Campi has dismissed appeals filed by United Artists and M-G-M.

The U. A. case originally was filed against A. L. Adams, Palace, Silverton, Ore., for breach of contract and when it came before the Seattle board it was referred to Campi. Code Authority, in dismissing the complaint, stated: "We have no jurisdiction to determine complaints of this natuue, and in our discretion we refuse to determine complaints of this nature."

In the M-G-M grievance against L. L. Drake, Ansonia, Wadesboro, N. C., the Charlotte board refused to direct the exhibitor to furnish preferred playing time according to contracts. The opinion of Campi held that under Article V-E, Part 9 (b), the board is limited only to relieving an exhibitor from the obligation to play a picture. Having no other powers in that connection, the parties are left to resort to legal remedies.

The decision of the Philadelphia grievance board in the case of Louis Linker, Criterion, Bridgeton, N. J., against Stanley, same city, was affirmed, but amended to read that the respondent's policy is not unfair and that the defendant will immediately select pictures on his selective contracts so that the complainant can negotiate for those turned down from Columbia and Universal lists.

The complaint of J. M. Anderson, Princess, Boone, Ia., against Central States Theatres Corp., Rialto, same city, on building a new theatre was dismissed.

Mexico Excited Over New Historical Film

By JAMES LOCKHART

Mexico City, July 2.—Mexico City is excited over the new, independently produced "Juarez y Maximiliano" (Juarez and Maximilian) based upon episodes of the French Empire period. Though some of the criticisms were unfavorable in that the critics claimed the film was nothing more than a series of scenes of the period, the film is commanding the highest price of any picture in this country. The Principal, which was a legitimate house for two centuries, is housing the film. Columbia is handling the release.

Lasky to Do Nurse Yarn

Hollywood, July 2.—Jesse L. Lasky's first on his new program for Fox will be "The White Parade," a yarn dealing with student-nurses, based on a forthcoming novel by Rian James, who is also writing the screen play in collaboration with Jesse Lasky, Jr. An all star cast will be featured.

The picture gets under way August 6 under the direction of Irving Cummings.

Willentz Will Appeal

Clearance complaint filed by the Ellwood, Newark, against Warners' Regent in that city and the Capitol, Belleville and lost by decision of the New York clearance and zoning board will be appealed to Campi by David T. Willentz who represented Allied of New Jersey in the action.

Review Board Seeks Early End of Campi

(*Continued from page* 1)

itself, but is taking a "recess" until July 10 in order to give the President opportunity to decide whether he wishes it to continue with the investigation of more than 150 codes against which complaints have been filed but on which no action has been taken. The board still has about $10,000 of its original $50,000 appropriation.

"It may be safely said that not in many years have monopolistic tendencies in industry been so forwarded and strengthened as they have through the perversion of an act excellently intended to restore prosperity and promote the general welfare," the board charged in its report.

Authorities "Burdensome"

"The present method of setting up code authorities is sadly defective and the cost of administration is, in many cases, expensive and sometimes heavily burdensome to the smaller interests of the industry." Administration members should be selected "with an eye single to their fitness and qualifications for the duties to be assumed" and they should be entitled to vote upon all questions.

"In virtually all the codes we have examined," the board commented, "one condition has been persistent, undeniable and apparent to any impartial observer. It is this, that the code has offered an oportunity for the more powerful and more profitable interests to seize control of an industry or to augment and extend a control already obtained."

Block booking is held to be directly responsible for evils which have led to "popular revolt," the report asserted in that section devoted to the film industry.

The boycott provisions of the code have been turned against the very interests which conceived them, as a result of the continued effort of the large producers to thrust upon the public a type of picture which it will not accept.

"The board feels called upon to advert again to the so-called code of fair competition for the motion picture industry and renew its recommendations in reference thereto," the President was told.

Criticizing the National Recovery Administration for its failure to take action upon the recommendations originally made, the board, in a summary of recommendations, demanded that the government take steps to remedy "great and unendurable public ills" instead of leaving it to the citizens of the country to act.

"In the first report, this board described the lawless and outrageous excesses of the monopoly in this industry and demanded that something be done to protect the small enterprise exposed to the insatiable rapacity of the powerful," it was pointed out.

Want New Authority

"We suggest that the remedies for great and unendurable ills of this nature ought not to be left to public action when the government is equipped with ample power to correct them. And the first means toward correction in this case would be the abrupt dismissal of the present code authority and the choice of another that can conceive something of the rights of the public and has some other impulse than the extraction of fat profits.

"The board feels called upon to advert again to the so-called code of fair competition for the motion picture industry and to renew its recommendations in reference thereto.

"Our former report on this code demonstrated not only its monopolistic and oppressive character, but also indicated that in its negotiations and writings by the deputy administrator complete frankness and impartiality were lacking.

"The board made definite findings that the code was not warranted by and was contrary to the provisions of the National Industrial Recovery Act, inasmuch as it authorized practices which have been specifically condemned by the courts of this land as monopolistic and oppressive.

"Numerous instances have come to the attention of this board where practices have arisen or are continued under the operation of the so-called code of fair competition, although these practices have been determined to be monopolistic and oppressive by decisions of the U. S. Supreme Court and other courts of the land. In addition, cases have been noted where parties have been restrained at hearings held before the National Recovery Administration from citing these decisions.

"Thus, pursuant to the authority granted them in the motion picture code, the producer-dominated grievance boards are directing a boycott against independent exhibitors who deviate from the admission prices established by the producers. The result of this boycott is to force the exhibitors to comply with price regulations of the producers or close their theatres for lack of pictures. So we have the producers resorting to a boycott which has been judicially established to be illegal and monopolistic. (Paramount vs. U. S. 282 U. S. 30 and U. S. vs. First National. 282 U. S. 44.)

Say Decision Disregarded

"The first instance of the disregard of the court decisions by the operation of the motion picture code is presented by the actions of the subservient clearance and zoning boards in formulating clearance and zoning schedules in various cities which put the low admission independent theaters so far behind the producer-owned theatres that they will not be able to supply their patrons with pictures of current interest and will lose them to the producer-owned houses. This device was attempted before the code, but was halted by the decision in Youngclaus vs. Omaha Film Board of Trade, et al.

"Heretofore the big eight producers have made little use of the extraordinary powers conferred upon them under the motion picture code. They have been afraid to exercise their powers in the face of the public attack upon the code contained in the board's report. The failure of the National Recovery Administration to carry out the suggestions of the board encouraged the Big Eight to try out their powers upon their helpless rivals.

"More important from the standpoint of the public at large are the evil consequences resulting from the failure to act on the recommendation of this board that steps be taken to correct the practice known as compulsory block booking. The abolition of that practice is necessary to give the exhibitors and their patrons a right of selection as to the pictures to be shown in the theatres. As matters stand under the code, the power of the producers to compel exhibitors to buy and show all of their pictures—the good with the bad—and to designate the days of the week upon which particular pictures shall be shown has the sanction of the National Recovery Administration.

"Millions of outraged citizens, finding that the code affords no means of escaping the forced showing of pictures, have joined under the leadership of various religious bodies in putting into effect a nationwide boycott directed against objectionable pictures. Thus, boycotting, sanctioned throughout the National Recovery Administration activities, becomes a national institution and is now employed by the public at large to compel the reforms which the National Recovery Administration has forced the public to an expedient which, although effective, will surely result in grave hardship for the independent exhibitors who are in no way the cause of the evil sought to be remedied. The only way to prevent this injustice and attain the result which the entire nation is seeking by this boycott is to adopt the changes advised by this board in its original report on the motion picture code."

St. Louis Case Up July 5

St. Louis, July 2.—Hearing on the involuntary debtor's action brought by Vitagraph, Inc., against the St. Louis Properties Corp. in its effort to prevent a foreclosure sale on the Ambassador, Grand Central and Missouri theatres will be held July 5 before Federal Judge Charles B. Davis.

"Star" Urges That Films Be Kept Clean

(*Continued from page* 1)

oppose political censorship or Federal regulation.

Declaring that "many of the industry's present embarrassments are traceable to itself" and that the current reaction is a natural consequence of a period of liberty mistaken for license by the producers, the *Star* continues:

"The problem, of course, is to devise some method by which the screen shall be cleaned up enough to provide the average man and woman with decent, inoffensive entertainment without becoming so shackled that it shall cease to exist as a means for the artistic expression of new and forceful ideas. . . . There is considerable danger of the reaction going so far as to bring about a narrow censorship that would later be obnoxious to the American public.

"The fundamental difficulty seems to lie in the fact that the movies never have clearly understood their double purpose. . . . Their first and most important function is to supply cheap and wholesome entertainment. Therefore, three-fourths of their product probably should waive artistic considerations and apply itself to the job of being entertaining and keeping itself clean. Parents should feel that their children can go to the general picture show without endangering their morals.

"There is a place for the other fourth that can deal freely and artistically with life. But such films, intended for mature minds, should be so labeled. If the theatres refuse to accept this responsibility, they will invite legislative action that will take the matter out of their hands."

Immediate Comfortable Vision
In The Smaller Theatres

National Projector Carbons

Immediately upon entering the theatre patrons enjoy the comfortable vision which High Intensity projection permits in the large downtown theatres.

The Alternating Current High Intensity Arc now offers this same advantage to the smaller theatre. . . . NRA CODE

Provide Immediate Comfortable Vision And Watch Your Patronage Grow

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The Leading Daily Newspaper of the Motion Picture Industry

MOTION PICTURE DAILY

Alert, Intelligent and Faithful Service to the Industry in All Branches

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Columbia to Push Hard on 10 Specials

Campaign for Preferred Time Based on These

By RED KANN

ATLANTIC CITY, July 4. — Columbia's place in the sun next season revolves around 10 pictures on which its campaign for preferred playing time is based. They will be known as "extended run specials" and will be backed by all the advertising and exploitation resources Columbia can muster.

Heading the group are two Frank Capras, of which "Broadway Bill," the first, is practically finished. It is based on Mark Hellinger's "Strictly Confidential," and includes among its featured players Warner Baxter, Myrna

(*Continued on page* 4)

Production Slows Under New Policy

HOLLYWOOD, July 4.—Production activity, due to slower and more careful preparation, pictures to conform with present demand for clean pictures, continues on the decline with only 33 features and seven shorts in actual production as against 35 features and 11 shorts the preceding week.

There is little hope for an immediate increase, as there are only 19 features and 12 shorts in the final stages

(*Continued on page* 19)

Madison Houses Ask License Fees Slash

MADISON, Wis., July 4.—A petition of local theatre operators asking a reduction in the theatre license has been referred to the Common Council's license committee for consideration.

In their communication to the council the managers claimed the ordinance was passed when the theatres were enjoying good business. Under the present ordinance, theatres are licensed according to seating capacity with the larger houses paying a fee of approximately $300.

French Regulations Continued to Dec. 1

WASHINGTON, July 4.—Regulations governing exhibition of foreign films in France are continued, with certain modifications, for six months, until

(*Continued on page* 4)

Fox Met. Deal Again Delayed After Hearing

Holders Want to Dispose Of Bonds, Not Leases

Some of the points over which Loew's and Warners' attorneys have been haggling the past few weeks with the sub-committee of the Fox Metropolitan bondholders' committee were revealed at the Federal Court hearing Tuesday before Judge Julian W. Mack at which a further postponement was taken until tomorrow afternoon.

William L. Bainton, of counsel for the bondholders' committee, told the court that his clients were determined to sell only their $11,000,000 of deposited Fox Met bonds, and these at

(*Continued on page* 19)

Code Assent Order Officially Signed

Division Administrator Sol A. Rosenblatt officially signed an order Tuesday for reopening of code assents. New forms are being mailed by Campi to all code board secretaries this week with deadline for returning assents Aug. 15. Two code signers must endorse the new compliances.

Public hearings on producer and distributor allocations and other code amendments are expected to be set by Rosenblatt within the next two weeks.

W. C. Michel, Ed McEvoy and J. Louis Geller comprise the second appeal committee which sits today to hear a number of cases.

ITOA Loses Move to Go Into State Court

I.T.O.A.'s motion to remand its action against Code Authority back to the state Supreme Court was denied by Federal Judge Henry Goddard Tuesday.

In the event I.T.O.A. now does not

(*Continued on page* 19)

Not Affected

New Orleans, July 4.—A second canvass of exhibitors and exchange men shows the campaign of the League of Decency has, as yet, left no ill effects on box-offices. Grosses are down, but this is attributed to the extreme warm weather, night clubs, bathing beaches and beer gardens.

Mundus List Will Include 25 Foreigns

Mundus Distributing Corp. will release 25 foreign films in the United States, the product being produced abroad by Herbert Wilcox, British & Dominions and London Films.

First release will be "Cash," a B. & D. picture. Sales policy on Mundus films will be individual contracts with United Artists handling physical distribution. No date has yet been set for general release. The second picture has not been decided.

According to the sales plan, special Mundus sales representatives will be named and they will work under Earle Kramer, whose headquarters are in New York.

U. A. in Good Shape On Films—Lichtman

United Artists is better off as far as product is concerned than it has ever been this early in the season, asserts Al Lichtman, vice-president and general manager.

"For the new season," he says, "our organization has four productions completed and awaiting release, three in work and nearing completion and one now before the cameras."

When Darryl Zanuck, vice-president in charge of production, returns in August, Lichtman says he will start

(*Continued on page* 19)

Girls Too Aggressive in Film Love, NEA Is Told

WASHINGTON, July 4. — National studies have shown films to be above general moral standards with respect to democracy and the treatment of children by parents, almost parallel in respect to kissing, but in marked conflict in respect to aggressiveness of a girl in lovemaking, members of the National Education Ass'n were told

(*Continued on page* 2)

Stanley Will Close 75 in Philadelphia

Movement May Spread Due to Church Boycott

PHILADELPHIA, July 4.—Stanley-Warner yesterday gave two-weeks notices to employes in 75 theatres in Philadelphia.

This is said to be part of a general movement for closing until the Catholic boycott is modified.

Speaking for independents in the M.P.T.O., Lewen Pizor said the action would be followed, and Dave Barrist, spokesman for the new I.E.P.A., said its membership would follow suit if the closings show signs of becoming general.

In a statement for Stanley-Warner, Leonard Schlessinger said he understood this territory was the only one where the church ban was aimed at

(*Continued on page* 4)

Myers Asks Delay On All New Buying

Cautioning exhibitors not to buy new season product in a hurry, Abram F. Myers, general counsel for Allied, on Tuesday advised the New Jersey unit to study announcements from every company and match results of

(*Continued on page* 4)

Wanger's Plans Are Not Set, He States

Walter Wanger's independent production plans are not yet set, he declared on his return Tuesday from a five weeks' European trip.

"Things look good in Europe," Wanger commented. "There's plenty of activity there. Every Hollywood producer should make the trip, there's no question about that."

Wanger leaves for the coast this week-end.

Equipment Firms Go On a C.O.D. Basis

Local theatre equipment supply dealers are planning to put all accounts on a C.O.D. basis as a result of large losses sustained by dealers with the bankruptcy of Manhattan Playhouses.

One dealer alone is said to have lost $11,000 on the account and other men are also said to have dropped sizable amounts.

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West Film Not Banned

COLUMBUS, July 4.—Published reports emanating from here that Mae West's new picture, formerly titled "It Ain't No Sin," had been banned by the Ohio censor board have been denied by Dr. B. O. Skinner, head of the board.

"The Mae West picture was never presented to the censor board of Ohio," Dr. Skinner wired John Hammel at the Paramount home office.

Para. Regional Here

Last of the four Paramount regionals starts today and continues until tomorrow at the Waldorf Astoria. Sales policy and discussion of various details in connection with the new product will highlight the meeting. George J. Schaefer, Joseph J. Unger and Milt Kusell will attend.

Cinecolor Buys Process

Demetre Deponte of Cinecolor, Ltd., has purchased the rights to use the Peerless film process in England, France, Italy, Belgium and their possessions.

Remodel 40 Theatres

Continental Theatre Accessories has just completed remodeling 40 RKO theatres, according to Joseph Hornstein, president of Continental.

"U," DuWorld in Deal

Universal has acquired from Du World Pictures the foreign distribution rights to the Jimmy Savo picture, "Girl in the Case."

Girls Too Aggressive in Film Love, NEA Is Told

(*Continued from page 1*)

last night by Robert P. Wray of Pennsylvania State College.

"Aggressiveness of a girl in lovemaking is the phase of morality in which pictures most often conflict with present standards," Dr. Wray declared. "It seems evident that pictures are opposing present standards of value in respect to aggressiveness of a girl in lovemaking."

The study was based on a large number of separate scenes, submitted to groups in all classes of life and employment.

"Conduct in the movies in respect to kissing and caressing almost precisely parallels life," is was found, while "pictures stand rather above the morals in respect to democratic attitudes and practices" and "the phase of our study dealing with the treatment of children by parents finds the movies at their best."

Kennedy Made Head Of Securities Board

WASHINGTON, July 4. — Following reported opposition to his election to the chairmanship of the Securities and Exchange Commission by Ferdinand Pecora, Joseph P. Kennedy, former head of Pathe, has been unanimously named to the post. Kennedy was President Roosevelt's choice for the job.

The chairmanship of the commission had been sought by Pecora. The appointment of Kennedy was made at the initial meeting of the commission, all the members of which, with the exception of Pecora, readily bowed to the President's wishes that Kennedy be elected.

Cantor to Start Soon

HOLLYWOOD, July 4.—Eddie Cantor will start his fifth musical for Samuel Goldwyn in a few days. It will be called "Kid Millions." Roy Del Ruth will direct.

Milwaukee House Dark

MILWAUKEE, July 4.—The Alhambra, local first run operated by Fred S. Meyer and managed by Stan Meyer, has closed for an indefinite period.

Loew Kansas City House Tries Duals

KANSAS CITY, July 4.—While Loew has agreed to throw duals overboard in Cleveland, the circuit inaugurates the policy in Kansas City Friday when the Midland, 4,000-seat downtown first run, opens with its first bill of more than one feature. "Laughing Boy" and "Lazy River" are scheduled for the opener.

The move is reported to be intended to hasten an agreement on the part of the independent suburbans to restrict duals to one a week and eliminate 10-cent admissions, which Loew and other affiliated circuits demand in exchange for higher first run admissions. Should the suburbans adopt the agreement, the first runs also promise to stick to single features.

Whether this latest development will have the desired effect is speculative, as the few independents opposing the agreement anticipate that the first runs will raise admissions and discard duals beginning with the new season, regardless of anything the suburbans agree to. On top of that, it is generally believed Loew will not extend its double bills beyond the one week.

Addition of Loew to the double feature ranks finds only one first run in Kansas City, the suburban Fox Uptown, on a steady single feature policy.

Duals Are Discussed ByDelawareIMPTOA

HARRINGTON, Del., July 4. — The double feature problem was discussed and a "luke warm" stand against poor pictures was taken at the monthly meeting of the Independent M. P. T. O. A. of Delaware and the Eastern Shore of Maryland here. Action on the double feature problem is still pending.

A committee of three, comprising A. J. Blair of the Rialto and A. B. Seligman of the Strand of Wilmington and Bryan Dashiell of Cambridge, Md., was appointed to draft a letter to exhibitors in the form of a formal request for cleaner pictures.

Fox Off 7/8 on Big Board

	High	Low	Close	Net Change	Sales
Columbia Pictures, vtc	28	28	28	— 7/8	100
Consolidated Film Industries	3 1/8	3 1/8	3 1/8	.....	100
Eastman Kodak	96 3/4	96 3/4	96 3/4	+ 1/8	300
Fox Film "A"	13 1/8	12 1/2	12 1/2	— 7/8	500
Loew's, Inc.	28 1/8	27 3/4	28 1/8	+ 1/8	2,100
Paramount Publix, cts	3 3/8	3 1/4	3 3/8	+ 1/8	700
Pathe Exchange	2	2	2	.....	500
Pathe Exchange "A"	20 1/4	19 1/2	20 1/4	+ 1/2	1,000
RKO	2 1/4	2 1/8	2 1/8	.....	500
Warner Bros.	5 1/8	5	5 1/8	.....	1,900

Sentry Down 1-16 on Curb

	High	Low	Close	Net Change	Sales
Sentry Safety Control	3/16	3/16	3/16	— 1/16	100
Technicolor	13 1/2	13 1/8	13 1/8	.....	200
Trans Lux	1 1/2	1 1/2	1 1/2	.....	100

Loew Bonds Rise 1/2

	High	Low	Close	Net Change	Sales
Keith B. F. 6s '46	69	69	69	.....	15
Loew's 6s '41, ww deb rights	100 1/2	100 1/8	100 1/2	+ 1/2	12
Paramount Broadway 5 1/2s '51	42	41 1/2	42	.....	3
Paramount Publix 5 1/2s '50	50 1/4	50 1/4	50 1/4	+ 1/8	2
Pathe 7s '37, ww	99 1/8	99	99	— 1/8	6
Warner Bros. 6s '39, wd	54 3/4	53 1/2	54 1/4	+ 1/4	26

◂ *Purely Personal* ▸

HARRY EGERT of Progressive Poster Service is vacationing at Pine Hill. LOUIS WEINZIMMER, EGERT'S partner, leaves Saturday for the Adirondacks for a three-week fishing trip.

GEORGIO MARTINEZ SIERRA, Spanish playwright under contract to Fox, and CATALENA BARCENA, Spanish star, also with Fox, arrived yesterday on the *Conte di Savoia.*

F. F. PROCTOR, founder of the Proctor circuit, and MRS. PROCTOR, accompanied by three nieces, sailed last night on the *Rotterdam* for a North Cape cruise.

WALTER RYAN has been named Detroit representative of the American Federation of Actors by RALPH WHITEHEAD, executive secretary.

ARTHUR LOEW, SAM MORRIS, JOE LEE, HARRY BUXBAUM, PHIL HODES and JACK ELLIS were among Sardi lunchers on Tuesday.

M. PUASON, operator of the Fox and Metropolitan theatres in the Philippine Islands, is here for a short stay.

ALEXANDER SNEKLER, general manager for Universal in Brazil, arrived yesterday on the *Pan America.*

LOU METZGER left for the coast yesterday by plane and will be back in a few weeks.

HAROLD RODNER is at Saranac Lake NVA Camp working out new programs.

HOMER CROY'S "Madame Tubbs" has been bought by Universal.

GRADWELL SEARS returns from the coast tomorrow.

S. R. KENT returned Tuesday from Chicago.

MOE STREIMER is in Saratoga on business.

Montevideo Has 58

WASHINGTON, July 4.—During January, 1934, there were 58 picture shows operating in the city of Montevideo, Uruguay, which gave 1,796 shows attended by 108,978 persons, according to the monthly bulletin of the Municipality of Montevideo, as reported to the U. S. Department of Commerce by Assistant Jule B. Smith at Buenos Aires.

May Garner $95,000

Chalking up a gross of $70,000 for the first five days, "Of Human Bondage" will hit a new high for the last six months, according to RKO. Anticipated intake for Tuesday was $10,000 and for yesterday a take of $15,000 was expected. It is being held over at the Music Hall.

Brandts Add Four More

Brandt Brothers have added four houses to their circuit within the last week, making a new total of 28. Because the contracts have not yet been signed, the new acquisitions will not be named.

Reissue for "Cimarron"

"Cimarron" is being reissued by RKO and numerous bookings already have been set throughout the country. Repeat runs are also being clocked on "Flying Down to Rio."

THE FLEET'S IN

"HERE COMES THE NAVY"

and so are

JAMES CAGNEY

•

PAT O'BRIEN

•

GLORIA STUART

•

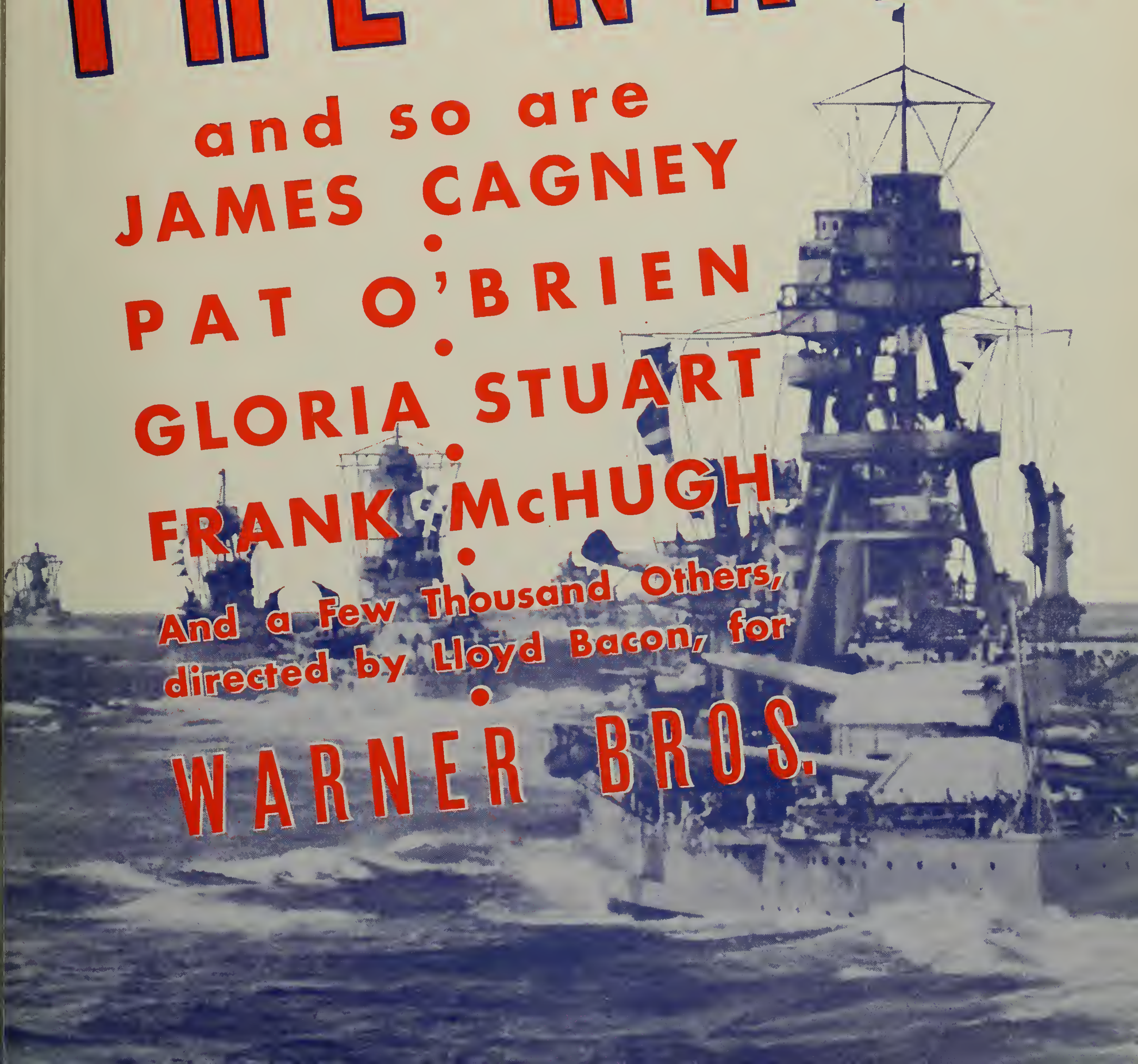
FRANK McHUGH

•

And a Few Thousand Others,
directed by Lloyd Bacon, for

•

WARNER BROS.



Columbia to Push Hard on 10 Specials

(*Continued from page* 1)

Loy, Raymond Walburn, Lynn Overman, Clarence Muse and Sterling Halloway. Robert Riskin, who adapted "Lady for a Day" and "It Happened One Night," did the script.

Others are "Carnival," also by Riskin, but with no production details as yet; "Feather in Her Hat," a best seller by I. A. R. Wylie, which ran serially in the *Delineator;* "Party Wire," another best seller by Bruce Manning; a Claudette Colbert special and an Edward G. Robinson vehicle, with Howard Hawks directing the latter; "Girl Friend," a musical extravaganza by Herbert Fields, Richard Rodgers and Lorenz Hart, in which Jack Haley and Lupe Velez are to be featured. William Rowland will produce. The other two will be "Mills of the Gods," described as a powerful drama by Melville Baker and Jack Kirkland, and "One Night of Love," the musical starring Grace Moore, which has been directed by Victor Schertzinger.

The remaining 38 on the schedule will be known and sold as the A-1 group, but it is on the 10 that Columbia will do its splurging and spread its negative budget.

Indicative of the strides made by the company is the unimpeachable report that Columbia has already sold more contracts for next season sight unseen than were landed in the first eight weeks of the opening of the national sales drive during the season about to close.

Decentralization to Continue

Decentralization of Columbia's 31 exchanges, begun about a year ago, will continue into the next on the theory that branch managers know their own territory best and likewise the salesmen under them. Columbia will be largely content to accept deals set up in the field. While it is true the home office often turns back contracts and insists the terms must be improved, the general practice is to accept the judgment of the men in the field. For this reason it is understood percentage pictures have not been designated, nor have terms been set up on fixed bases to which the field force must adhere without variance.

Tuesday marked the close of the eastern convention, while Wednesday saw individual meetings between home office executives, district managers and salesmen. The second day saw a breakdown of product by Jack Cohn and Abe Montague, with a discussion of advertising and exploitation plans by George Brown. In the afternoon Rube Jackter, Montague's assistant, spoke on the preparation of contracts and J. W. MacFarland, short subject sales supervisor, on his end of the new program.

Joe McConville, national sales supervisor, discussed his theory of what constituted a proper film deal. Cohn also spoke and gave credit for the company's progress to the field force.

A surprise development, to which Montague reacted accordingly, was the presentation of a parchment scroll carrying the name of every member of the 16 exchanges represented at this meeting. He left Wednesday for New York, as did other home office executives.

The group leaves for Chicago Friday, where the western meeting starts Monday, to terminate Thursday. District managers, branch managers and salesmen representing 15 exchanges will attend, with practically all delegates arriving Saturday, with an opportunity thereby to take in the World's Fair prior to the convention advent. Tuesday night the eastern convention switched from the Ritz-Carlton to Hackney's, where an informal get-together dinner marked the formal termination of the sales pow-wow.

Ritzing It with Columbia

Atlantic City, July 4.—F. Lynn Stocker, manager of the Oklahoma City branch, declared he would have felt more at home in Atlantic City if someone had had the thoughtfulness to erect a few thousand oil well rigs. According to Stocker, the sight of nothing but buildings becomes monotonous after a while.

•

When someone suggested to H. "Duke" Duvall, New Orleans manager, that he go down to Hackney's for some sea food, that citizen of the Delta community flatly rejected the proposal on the grounds that there was nothing in the line of fish he couldn't get just as good, if not better, in his home town. When asked what he could get up north that would be different, his immediate reply was, "Give me a double order of snow and sleet."

•

Jack Underwood, Dallas manager, disagreed with Duvall. He likes Atlantic City because it has neither "northers" nor "dust storms."

•

Tim O'Toole, Boston manager, took one look at Joe Miller, skipper of the Buffalo branch, as he got off the train and said, "Gosh, did you strip for bathing while traveling?" Whereupon Miller immediately removed this impression of nakedness by putting his hat on.

•

Jim Rogers, Memphis manager, has but one objection against conventions held in Atlantic City. This city is too far from Beale St.

•

Bob Ingram, Charlotte manager, believes something should be done about so-called "free" exhibits on the boardwalk. Wandering into a wax exhibit, he made the discovery that the usual process had been reversed. While no admission fee was charged, there was an exit fee. Because the individual supervising the collection box was a comely female, he found himself paying about four times as much as the show was worth before he could get out.

•

Whenever Hal Bissell, Cleveland manager, hits the Atlantic seaboard he loads up on sea food just to make sure that he does not develop a lack of iodine.

Columbia to Rebuild Its Studio on Coast

Atlantic City, July 4.—Columbia's studio facilities are to be practically rebuilt on an earthquake-proof basis, delegates to the sales convention were told here today. The work has already been started, it was stated.

First of these is a two-story writers' building. The next new unit will be a 50x150 structure for the electrical, paint, special effects, inserts and trailer departments. It will be of steel and concrete construction. A seven-story structure will be put up on adjoining Beechwood Drive property for the casting, production and art departments, the research library, still-photo department, wardrobe, make-up and property departments. A fourth unit planned is an 11-story administration building with a three-story office building and two new double stages.

A two-story addition to the laboratory is nearing completion. Cost of the new work is estimated at $350,000.

Pre-Convention Drive Winners Are Announced

Atlantic City, July 4.—Names of winners of the pre-convention contest to clean up all business for the past year were announced at the second day's session of the Columbia sales meet here. Phil D. Fox, Boston, headed the list.

Others were: Second, William Bradfield, Kansas City; third, Murray Briskin, Buffalo; fourth, Max Gillis, Philadelphia; fifth, U. T. Koch, Atlanta.

Winners of branch prizes were: First, Portland, Ore., J. R. Beale, manager; second, Chicago, Phil Dunas, manager; third, Boston, T. F. O'Toole, manager; fourth, Charlotte, R. J. Ingram, manager; fifth, Memphis, J. J. Rogers, manager.

The announcements were made by Abe Montague, general sales manager.

Company plans for increasing the advertising budget for next year were discussed by George Brown, director of public relations. Nate Spingold gave a talk on the campaign book.

To Survey Production In Britain for Col.

Hollywood, July 4.—Harry Cohn is dispatching Sid Rogell to London within a fortnight to make a survey of the possibilities of producing a series of pictures there for Columbia with a view to cashing in on English talent.

Drop "Mud Turtle" Title

Hollywood, July 4.—Title of Columbia's "Mud Turtle," being prepared for Jack Holt, has been changed to "The Depths Below."

Columbia Signs Haley

Hollywood, July 4. — Columbia has signed Jack Haley for the male lead in "The Girl Friend," starring Lupe Velez.

Jack Fier with Mascot

Hollywood, July 4.—Jack Fier, formerly with Consolidated Laboratories, has succeeded Maurice Conn as assistant to Nat Levine, head of Mascot Pictures.

Stanley Will Close 75 in Philadelphia

(*Continued from page* 1)

theatres rather than specific pictures. He said he had no objection to a black and white list for films.

Pizor said exhibitors did not want to run pictures offensive to anyone.

Stanley-Warner closes the Boyd and Victoria Saturday and several neighborhoods are to follow next week.

Joseph Bernhard, operating head of Warner theatres, said Tuesday that "nothing had been decided" in connection with the Philadelphia situation.

Myers Asks Delay On All New Buying

(*Continued from page* 1)

the current season with last before deciding what pictures to purchase.

He also talked on the church boycott, which, Myers claimed, was hurting business.

He stated he "hopes producers will clean house" and eliminate objectionable pictures. Myers did not bring up the trailer situation.

Due to illness of Sidney Samuelson, president, Julius Charnow acted as chairman. Myers was supposed to confer with Samuelson on Allied problems, but with Samuelson absent, Myers flew back to Washington before the session ended.

The next New Jersey meeting is set for Asbury Park, July 17.

French Regulations Continued to Dec. 1

(*Continued from page* 1)

Dec. 1, 1934, by a decree published in the French Journal Official, according to Acting Commercial Attache Daniel J. Reagan of the Department of Commerce, stationed in Paris.

The decree provides that dubbed films of foreign origin may be given public showings in France only within the limit of 94 films during the six months ending Dec. 31, 1934, as against 70 films from July 1, 1933, to June 30, 1934.

Original films in foreign languages may be shown in not more than five theatres in the Paris area (Seine Department), as during the past year, and in not more than two theatres in each of the other departments of France, as against 10 theatres for all the other departments combined during the past year. This restriction will not apply to animated cartoons during the next six months.

Get Three, After Five

Negotiations by Warners are understood practically completed whereby the circuit takes the Ritz, Lyndhurst; Rahway, Rahway; Playhouse, Dover; Rex, Irvington; Lincoln, Arlington, all in New Jersey. Bratter & Pollack own the houses.

Warners recently took the Bellevue, Upper Montclair; Broadmore, Bloomfield; Park, Caldwell, from Rapf & Rudin.

JULY TO JANUARY

PARAMOUNT'S *Greatest*

MOVIE SEASON

SIX MONTHS OF

Smash ATTRACTIONS

Paramount Pictures

"THE OLD-FASHIONED WAY"

with

W. C. FIELDS • BABY LEROY

Joe Morrison · Judith Allen · Jack Mulhall

Directed by William Beaudine

The profile of Barrymore . . . the body of Weissmuller . . . the personality of Cooper . . . the voice of Crosby . . . that's W. C. Fields, the world's most perfect male, the screen's most hilarious comic, the ladies' most adorable lover . . . in "The Old Fashioned Way" . . . Just wait until you see Fields engage in mortal combat with Baby LeRoy.

SHOOT THE WORKS

THE MOSTA OF THE BESTA, YOWSAH

Music, laughter, a little love, a little kiss . . . all the mosta of the besta for deah, deah old box-officey, with a great cast surrounding the Old Maestro and All His Merry Lads. Six smash songs by Robin and Rainger . . . Gordon and Revel . . . and Ben Bernie, Al Goering and Walt Bullock . . .

SIX HIT TUNES

"With My Eyes Wide Open I'm Dreaming" • "Take A Lesson From The Lark" "Do I Love You" • "A Bowl of Chop Suey And You-ey" • "Were Your Ears Burning, Baby" • "In The Good Old Winter Time"

"SHOOT THE WORKS"

with

Ben Bernie and all his Merry Lads

Jack Oakie · Arline Judge

Alison Skipworth · Roscoe Karns

William Frawley

· Directed by Wesley Ruggles ·

JULY . . . 6 pictures, starting with the year's greatest money attraction, Mae West in "It Ain't No Sin," and a great musical, "Shoot the Works"

MAE WEST

"IT AIN'T NO SIN"

with Roger Pryor, John Mack Brown and Duke Ellington's Orchestra
Directed by Leo McCarey

WEST GOES SOUTH with three new "tall, dark and handsomes"...10 trunks of gorgeous clothes 5 sensational songs by Arthur Johnston and Sam Coslow . . . the original "beef trust" chorus . . . a hot band and a choir of 100 voices.

"KISS AND MAKE-UP"

with CARY GRANT
GENEVIEVE TOBIN
Helen Mack, Edward Everett Horton and the Wampas Baby Stars of 1934
Directed by Harlan Thompson
Associate Director, Jean Negulesco
a B. P. SCHULBERG production

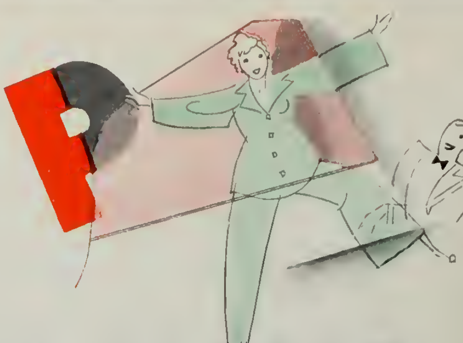
"ELMER and ELSIE"

with George Bancroft
Frances Fuller, Roscoe Karns, George Barbier
Directed by Gilbert Pratt

"The NOTORIOUS SOPHIE LANG"

with
Gertrude Michael
Paul Cavanagh
Alison Skipworth
Directed by Ralph Murphy

if it's a PARAMOUNT PICTURE it's the best show in town!



BING CROSBY
MIRIAM HOPKINS

in *"She Loves Me Not"*

with

Kitty Carlisle · Directed by Elliott Nugent

Biggest Broadway smash in years! 250 consecutive performances in New York to S. R. O. business. Millions of Saturday Evening Post readers followed it serially for weeks. Music by two champion song-writing combinations—Gordon and Revel and Rainger and Robin. A host of hits, headed by "Love in Bloom," "Straight From the Shoulder, Right From the Heart." Kitty Carlisle singing love duets with Bing Crosby. Miriam Hopkins in a sensational new role

"LADIES SHOULD LISTEN"

with

CARY GRANT · FRANCES DRAKE

Edward Everett Horton · George Barbier

Nydia Westman · Charles Ray

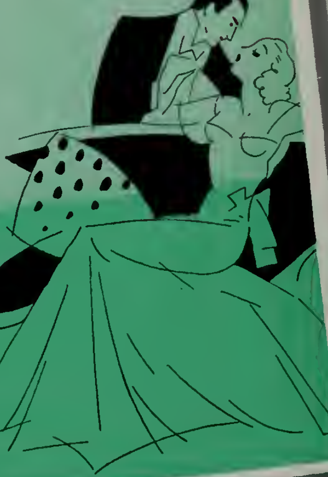
Directed by Frank Tuttle

"YOU BELONG TO ME"

with

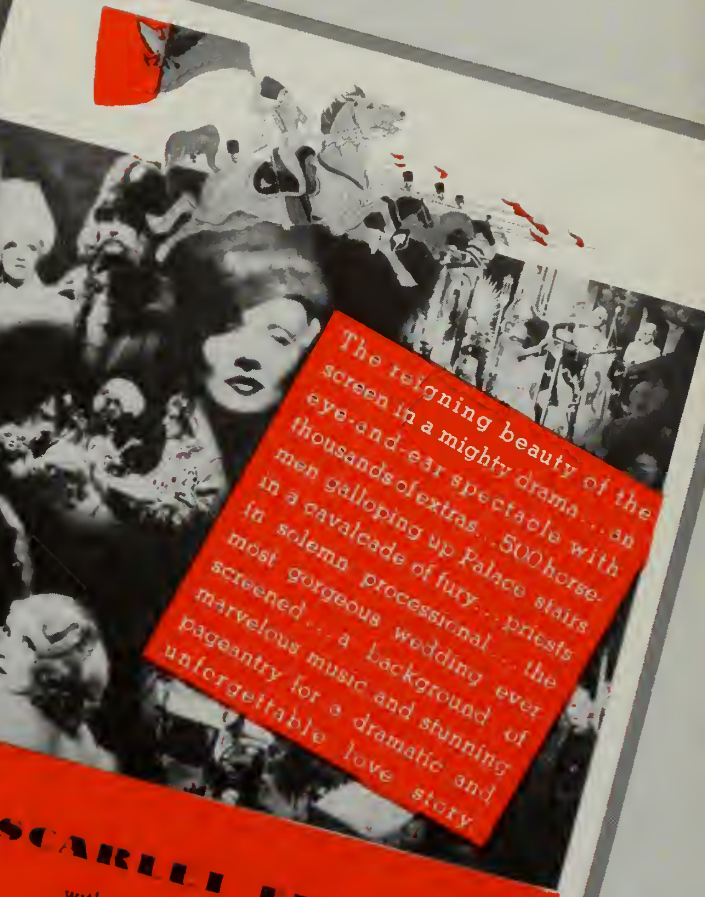
Lee Tracy
Helen Mack
Helen Morgan

Directed by
Alfred L. Werker
director of
"The House of Rothschild"



AUGUST... 5 "ace" film entertainments, including a Dietrich production, a Bing Crosby-Miriam Hopkins comedy with music, and a picture with Gary Cooper, Carole Lombard and Shirley Temple.

MARLENE DIETRICH



The reigning beauty of the screen in a mighty drama . . . an eye-and-ear spectacle with thousands of extras . . 500 horsemen galloping up Palace stairs in a cavalcade of fury . . . priests in solemn processional . . . the most gorgeous wedding ever screened . . . a background of marvelous music and stunning pageantry for a dramatic and unforgettable love story.

"THE SCARLET EMPRESS"

with John Lodge, Sam Jaffe, Louise Dresser
Directed by JOSEF VON STERNBERG

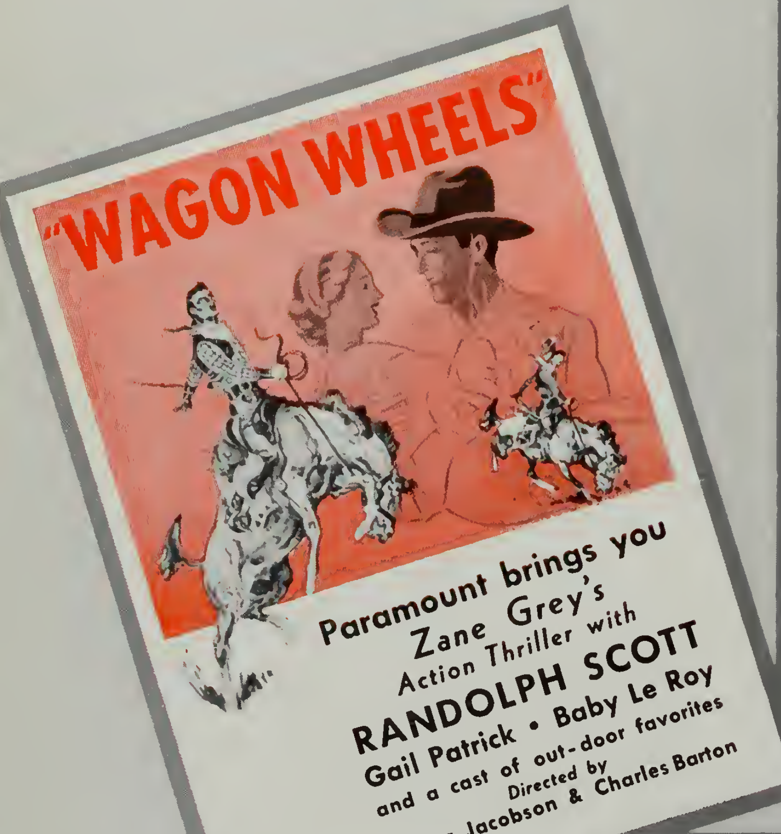
GARY COOPER
CAROLE LOMBARD
SHIRLEY TEMPLE
in

"Now and Forever"

with
Sir Guy Standing · Charlotte Granville
Directed by Henry Hathaway

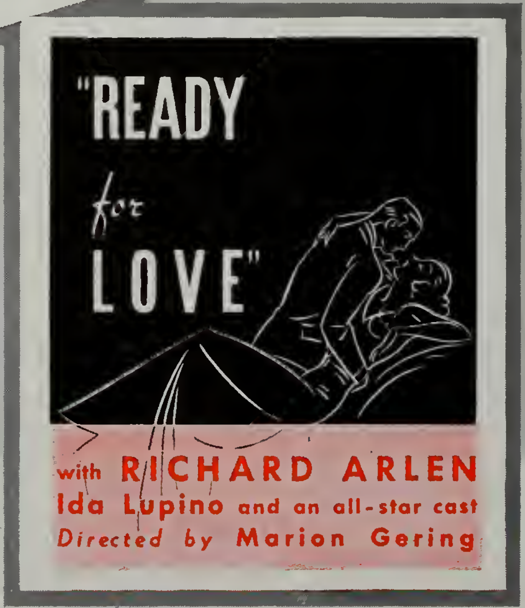
Two of the biggest box office names in the business and the littlest BIG name in motion pictures today in a film entertainment jammed with romance, heart throbs and excitement.

if it's a PARAMOUNT PICTURE it's the best show in town!



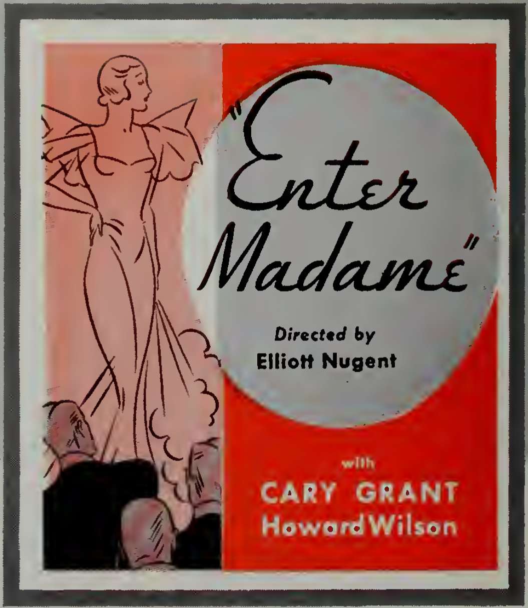
"WAGON WHEELS"

Paramount brings you
Zane Grey's
Action Thriller with
RANDOLPH SCOTT
Gail Patrick • Baby Le Roy
and a cast of out-door favorites
Directed by
Arthur Jacobson & Charles Barton



"READY for LOVE"

with **RICHARD ARLEN**
Ida Lupino and an all-star cast
Directed by Marion Gering



"Enter Madame"

Directed by
Elliott Nugent

with
CARY GRANT
Howard Wilson

SEPTEMBER... 5 more outstanding attractions, headed by Cecil B. DeMille's "Cleopatra", the biggest box office bet of the year, and "Mrs. Wiggs of the Cabbage Patch," a sure-fire success.

CECIL B. DeMILLE'S

"Cleopatra"

A love affair that shook the world, set in a spectacle of thrilling magnificence!

Directed by Cecil B. DeMille with

CLAUDETTE COLBERT
WARREN WILLIAM
HENRY WILCOXON

Ian Keith • Joseph Schildkraut • C. Aubrey Smith • Gertrude Michael

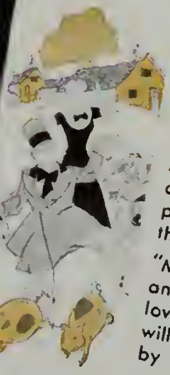
This picture promises to be the biggest grosser of the year, and perhaps, of all time. Made as only Cecil B. DeMille could make it, it is one of the most stupendous and exciting productions ever seen on the screen. 8000 players and two acres of stupendous sets form the background for the magnificent love story of Antony and Cleopatra.

"Mrs. WIGGS OF THE CABBAGE PATCH"

with

Pauline Lord · W. C. Fields
Za Su Pitts
Evelyn Venable · Kent Taylor

Directed by Norman Taurog



Alice Hegan Rice's famous story and play brought to vivid life on the screen by a great cast of players.

An important production to be made on an elaborate scale that will build both profits and good will for every theatre that plays it.

"Mrs. Wiggs of the Cabbage Patch" is one of the world's most popular and best loved books. As a screen production, it will be watched for, waited for and paid for by a ready-made audience of millions.

if it's a PARAMOUNT PICTURE it's the best show in town!

"College Rhythm"

with

Joe Penner · Lanny Ross · Richard Arlen
Ida Lupino · Lyda Roberti

Directed by Norman Taurog

Right at the time when football hysteria grips the nation and people start going places and doing things, Paramount will release the topper to "College Humor," a football musical, "College Rhythm." With Joe Penner, the No. 1 comedy attraction on the air today; Lanny Ross and a great cast of players . . . The action will be set to music by the great Paramount song-writing team, Gordon and Revel.

CHARLES LAUGHTON, the distinguished actor who won the Academy of Motion Picture Arts and Sciences award for the finest screen performance of 1933

charles laughton

"Ruggles of Red Gap"

with

Charlie Ruggles · Mary Boland · Sir Guy Standing

Harry Leon Wilson's classic of an English valet who became a social personage in a thriving metropolis of Western America. A riotous and highly amusing vehicle for Charles Laughton, whose great flair for comedy makes him one of the outstanding actors on the screen today . . . A motion picture made from a book that has had millions of readers.

Directed by Leo McCarey

OCTOBER . . . The BIG Month . . . The Harvest Month for Paramount box offices, with four sure-fire successes in "College Rhythm," "Limehouse Nights," "Ruggles of Red Gap" and "Pursuit of Happiness."

SYLVIA SIDNEY and GEORGE RAFT

"Limehouse Nights"

with Anna May Wong Directed by Alexander Hall

An action-packed melodrama in an exciting background! RAFT... suave, steely, gun in pocket, going places and doing things in a hair-raising hunt through dangerous Limehouse for SYLVIA SIDNEY, lovely captive of half-caste hatchet men.

One of the most popular plays in New York this year

All about those good old days when we proudly stressed in the Constitution of the United States the famous phrase, "life, liberty and pursuit of happiness"—and the greatest of these was the latter, which brings us to "bundling," the delightful subject of this picture.

"THE PURSUIT OF HAPPINESS"

with

Francis Lederer · Joan Bennett
Charlie Ruggles · Mary Boland
Walter Kingsford
Directed by Ralph Murphy

"BACK PORCH"*

with

W. C. FIELDS

* TITLE TENTATIVE

if it's a PARAMOUNT PICTURE it's the best show in town!

"THE BIG BROADCAST OF 1935"

with LANNY ROSS, JACK OAKIE, PAUL GERRITS and a cast of the most popular performers on the air, including JESSICA DRAGONETTE and others to be chosen at the time of production

Aimed directly at every showgoer in the world, bringing entertainment that includes more famous talent than has ever before appeared together in one grand show, "The Big Broadcast" is not an experiment—it is sure-fire entertainment. Every screen and radio fan in the country will tune in on your box office when you play this picture.

CLAUDETTE COLBERT

in

"The Gilded Lily"

with

CARY GRANT · JOHN LODGE

A fascinating peek into the romantic escapodes of one of the world's most famous women—spicy enough to be interesting, clever enough to be amusing, daring enough to be dramatic. With Cary Grant as the No. 1 man in this notorious beauty's life.

NOVEMBER . . . 6 Top Money Pictures headed by a smash attraction in "The Big Broadcast," a Sylvia Sidney picture and four other big features.

SYLVIA SIDNEY

in

"Desire"

with **John Lodge** Directed by **Marion Gering**

Sylvia Sidney as a sweet and simple little savage who became the most brilliant figure in the world's gayest society . . . a role which will be perfectly matched for Miss Sidney's sincere and charming talents as an actress.

a B. P. SCHULBERG Production

"SHOE the WILD MARE"

with HENRY WILCOXON · SIR GUY STANDING · WILLIAM FRAWLEY and an all-star cast

A sensational, mile-a-minute story of "big business" and New York Society, from the lightning pen of Gene Fowler, best selling author.

DAMON RUNYON'S

"The LEMON DROP KID"

with

JACK OAKIE
and HELEN MACK

Directed by
WESLEY RUGGLES

"The YELLOW BARGAIN"

with

EVELYN VENABLE
LLOYD NOLAN

Directed by
JAMES FLOOD

if it's a PARAMOUNT PICTURE it's the best show in town!

MAE WEST

in **"GENTLEMEN'S CHOICE"**

As a vehicle for Mae West, "Gentlemen's Choice" fits every curve of her fascinating personality and a few more not displayed. With this assortment of curves, blinding speed and a nice change of pace, Mae West will have every film fan fanning for her not once, but again and again.

This picture gives promise of becoming the greatest WESTern ever made.

DECEMBER... Paramount's Christmas tree blazes brightly with two of the year's big hits . . . MAE WEST in "Gentlemen's Choice" and BING CROSBY AND KITTY CARLISLE in "Here Is My Heart," delivered to you for holiday business.

The Sweethearts of the Ticket Machines!

BING CROSBY
KITTY CARLISLE

in "*Here is My Heart*"

Directed by Elliott Nugent

After "She Loves Me Not," Bing Crosby and Kitty Carlisle will be one of the hottest "name" combinations in the business... the most popular voice on screen, radio and stage singing to the girl who answers him with the voice that registered so sensationally in "Murder At the Vanities." An amusing and romantic story of a gay, rich young blood who bought his way into a hotel as a waiter to be near a lovely young lady whose title made her haughty.

Sensational Broadway comedy hit

"THE MILKY WAY"

with

JACK OAKIE
and an all-star cast

"WAR IS DECLARED"

A sensational international special with a huge cast of players.

ZANE GREY'S

"HOME ON THE RANGE"

with

RANDOLPH SCOTT

if it's a PARAMOUNT PICTURE it's the best show in town!

Paramount Pictures

ROSTER OF PARAMOUNT PLAYERS, DIRECTORS AND WRITERS 1934-35

PLAYERS Adrienne Ames · Richard Arlen · George Barbier · Mary Boland · Whitney Bourne · Grace Bradley · Carl Brisson · Geo. Burns & Gracie Allen · Kitty Carlisle · Claudette Colbert · Gary Cooper · Larry Crabbe · Eddie Craven · Bing Crosby · Alfred Delcambre · Katherine DeMille · Marlene Dietrich · Jessica Dragonette · Frances Drake · W. C. Fields · William Frawley · Frances Fuller · Paul Gerrits · Gwenllian Gill · Cary Grant · Jack Haley · Charlotte Henry · Miriam Hopkins · Dean Jagger · Roscoe Karns · Charles Laughton · Baby LeRoy · John Lodge · Carole Lombard · Pauline Lord · Ida Lupino · Helen Mack · Fred MacMurray · Julian Madison · Margo · Joan Marsh · Herbert Marshall · Gertrude Michael · Raymond Milland · Lillian Moore · Joe Morrison · Lloyd Nolan · Jack Oakie · Lynne Overman · Gail Patrick · Joe Penner · George Raft · Claude Rains · Lyda Roberti · Lanny Ross · Jean Rouverol · Charlie Ruggles · Randolph Scott · Clara Lou Sheridan · Sylvia Sidney · Alison Skipworth · Sir Guy Standing · Colin Tapley · Kent Taylor · Eldred Tidbury · Lee Tracy · Evelyn Venable · Mae West · Henry Wilcoxon · Dorothy Wilson · Howard Wilson · Toby Wing

DIRECTORS Charles Barton · William Beaudine · Cecil B. DeMille · James Flood · Marion Gering · Alexander Hall · Henry Hathaway · Arthur Jacobson · Mitchell Leisen · Ernst Lubitsch · Leo McCarey · Norman McLeod · Wm. Cameron Menzies · Ralph Murphy · Jean Negulesco · Elliott Nugent · Gilbert Pratt · Wesley Ruggles · Edward Sedgwick · Arthur Sircom · Norman Taurog · Harlan Thompson · Frank Tuttle · Charles Vidor · Josef von Sternberg · Alfred Werker

WRITERS Frank R. Adams · Charles Barton* · Claude Binyon · Charles Brackett · Laurie Brazee · Dana Burnet · Bartlett Cormack · Jack Cunningham · Walter DeLeon · Finley Peter Dunne, Jr. · Guy Endore · Herbert Fields · Garrett Fort · Lewis Foster · Howard Green · Elmer Harris · Ben Hecht* · Cyril Hume · Grover Jones · Paul Jones · Vincent Lawrence · Gladys Lehman · Charles Logue · Charles MacArthur* · Jeanie Macpherson · Doris Malloy · Francis Martin · John McDermott · J. P. McEvoy · Wm. Slavens McNutt · Wm. Cameron Menzies* · Alice D. G. Miller · Jack Mintz · Paul Moss · Seena Owen · Frank Partos · Humphrey Pearson · Arthur Phillips · Gilbert Pratt* · Marguerite Roberts · Peter Ruric · Harry Ruskin · Dore Schary · Raymond L. Schrock · Chandler Sprague · Jane Storm · Harlan Thompson* · Keene Thompson · Dale Van Every · Virginia Van Upp · Bobby Vernon · Garnett Weston · Waldemar Young

*Also Directors

Fox Met. Deal AgainDelayed After Hearing

(*Continued from page* 1)

a price of $5,000,000. The Loew-Warner joint offer is $4,000,000 for title to the 87 leaseholds and fee properties of the circuit, and reflects no demand on the bidders' part for the committee's bonds.

J. Robert Rubin, Loew's counsel, intimated that if the $5,000,000 figure had been mentioned by the committee he hadn't heard it.

"I've heard a different figure from two of the three members of the sub-committee," Rubin told the court.

The sub-committee will have an opportunity to speak louder when it resumes its meetings today with the Loew-Warner representatives.

Another time-consuming point in the negotiations up to now, it was revealed, has been whether or not Loew's and Warners have the right to examine, as requested by them, a schedule of grosses and operating expenses of the individual houses of the Fox Met circuit. The bidders contended that the information was essential to the min order to prepare a schedule of values through which they could arrive at a maximum or final bid. The bondholders' committee refused to supply this information, but after a four-hour adjournment from a morning session to mid-afternoon Tuesday, during which attorneys conferred with the committee, it was agreed to furnish the bidders with sundry other data which had theretofore been refused.

Object to Statements

Attorneys for Skouras and Randforce, operators of the circuit, objected that giving out the earnings statements would place the houses at the "mercy of the companies with which the bidders ar eassociated" in the event the sale to Loew's and Warners was not consummated.

"They would charge as much film rental against the houses as they knew the traffic would bear," the Randforce attorney complained to the court.

Other suspicions aired in this connection were that the bidders would be placed in a position where they could acquire the houses showing a profit and duck the perennial losers in a final deal.

Rubin protested that the bidders required the information only because the committee, he said, was not prepared to deliver all of the leases and it was necessary for Loew's and Warners to know whether it was losing valuable or worthless properties in the event of lease withdrawals by landlords.

"It seems to me," Judge Mack interposed at this point, "that that is the difficulty which confronts any outside bidder coming into this picture. The committee can sell you its bonds, and you know what it has, but it cannot guarantee you that all of the landlords will renew leases with you if you buy the assets of the circuit, which are its leases, rather than the bonds."

The bondholders' committee, agreeing to a further delay in the hearing until tomorrow, stated that there was enough promise of an eventual agreement being reached to warrant continuing negotiations with the Loew-Warner representatives. Skouras and Randforce representatives opposed the postponement, declaring that the delays have already hampered next season's earnings seriously, and that the necessity of making new season film buys, negotiating new labor contracts and disposing of other urgent matters made it imperative to settle the issue immediately.

John H. Amen, special assistant to the attorney general in charge of anti-trust cases, attended Tuesday's hearing "as an observer," he said. MOTION PICTURE DAILY disclosed exclusively on June 27 that the government was interested in possible anti-trust angles of a successful Loew-Warner bid and that Albert J. Law, a special investigator for the Department of Justice, had been assigned to study developments.

Pittsburgh Quashes 5 Clearance Charges

PITTSBURGH, July 4.—Five clearance complaints were dismissed and three grievances have been heard here.

Clearance complaints which were dismissed because, it was held, they do not affect existing contracts and will be taken care of with publication of the uniform zoning schedule for this territory, are:

Ike and Harry Browarsky, protested seven-day clearance of Warners' Kenyon, Pittsburgh, over plaintiff's Bellevue at Bellevue; Ike Browarsky, protested 14-day clearance of Warners' Kenyon over plaintiff's Hippodrome, Pittsburgh; F. Panoplos, Clairton, Pa., protested 28-day clearance of Warners' Harris-Memorial and Victor, at McKeesport, over plaintiff's State at Clairton; Mrs. L. Muir protested 28-day clearance of Warners' Harris-Memorial and Victor over plaintiff's Grand at Elizabeth, and Beedle Bros. protested seven-day clearance of Warners' Harris-State and Washington at Washington, Pa., over plaintiff's Alhambra and Strand at Cannonsburg.

Grievance complaints heard were: Alleged overbuying by Warners' Kenyon, Pittsburgh, charged by North Side Amusement Co., operating the Garden, Pittsburgh. Complaint dismissed on the grounds that no proof of overbuying had been submitted.

Complaint against Warners' Sheridan Square and Cameraphone, Pittsburgh, by Harris Amusement Co., operating the Family, charging that the two Warner houses received the privilege of playing pictures before the end of the first run clearance, whereas the complainant's competing house did not. Complaint dismissed on the ground that the board was without jurisdiction.

Complaint against Harry Fleishman, operating the Brighton, brought by Warners' Kenyon, charging admission reductions by issuance of script books and staging of lotteries. Defendant ordered to discontinue practices immediately.

U. A. in Good Shape On Films—Lichtman

(*Continued from page* 1)

several, headed by "The Mighty Barnum."

"I feel confident that by January United Artists will have completed half its program for the new season," Lichtman asserts.

The four completed are: "Bulldog Drummond Strikes Back," "Affairs of Cellini," "The Last Gentleman" and "The Private Life of Don Juan."

Production Slows Under New Policy

(*Continued from page* 1)

of preparation. The result of more precaution and time in editing is manifested in the summary showing 45 features and 30 shorts now in the cutting rooms.

M-G-M continues to be the busiest lot with six features in work, two preparing and 14 in the cutting rooms; Warners have six, two and eight; Universal, five, one and one; Fox, four, two and two; Paramount, three, two and five; Columbia, three, two and and four; Radio, three, three and three, while the independent have three, five and eight.

In the short subject division M-G-M reports two working, two preparing and four editing; Roach has one, two and four; Universal, zero, zero and two; Columbia, zero, one and three; Warners, zero, zero and one; Radio, zero, four and 12, while the independents have four, three and four.

ITOA Loses Move to Go Into State Court

(*Continued from page* 1)

proceed to argue its original motion for an injunction to restrain Campi from refusing to permit non-assenters to the code from filing complaints with code boards, Campi may move within 30 days to have the case withdrawn for failure to state a cause of action.

I.T.O.A. initiated its action against Campi in Federal Court several weeks ago, but withdrew it in order to file an identical action in state Supreme Court, believing that state laws offered more relief than Federal laws in the matter. Hugh A. Fulton, of Cravath, de Gersdorff, Swaine & Wood, attorneys for Campi, had the case reinstated in Federal Court on the ground that the state court lacked jurisdiction. I.T.O.A.'s unsuccessful move of Tuesday was a new attempt to return the case to the state court.

Darrow to Be Guest At ITOA's Luncheon

Clarence Darrow, anti-NRA gladiator and special critic of the film code, is scheduled to be guest of honor at the regular meeting of the I. T. O. A. at the Astor today, according to a press notice issued following a meeting of the board of directors of the organization Tuesday.

Harry Brandt, I. T. O. A. president, will make an "important announcement" at the luncheon meeting, it was stated at the same time. The meeting will be open to the press which has been barred from the organization's gatherings since the code meetings it sponsored last summer.

Summon NRA Officials

SEATTLE, July 4.—The NRA compliance director and compliance officer for the State of Washington have been cited to appear in court next week in a case brought by Clara Cohen and Sam Sax, owner and manager of the Rex. The order obtained from Judge Roscoe R. Smith directs the officials to show cause why the theatre operators should not be granted arbitration in a wage question. At the present time the theatre is being picketed.

K. C. Indies Draft Campi Zone Appeal

KANSAS CITY, July 4.—Protesting the provision of the new clearance schedule that subsequents must maintain a fixed price or be set back five cents in the price scale, a group of independents have drafted an appeal for forwarding to Campi.

Two clearance and zoning board members have also voiced objection to the clause which was adopted over their protest.

W. D. Fulton, spokesman for the protesting indies, said at least 20 out of 32 indie suburbans in Kansas City, Mo., would sign the appeal. Fred Meyn, zoning board member for Kansas City, Kan., said subsequents there were preparing an appeal on the same ground. He called it price-fixing.

Independents assert the clause binds them to one price and prevents flexible admissions on pictures of different calibres. They demand the right to move admissions up or down and offer occasional bargain prices.

Harry Taylor, Columbia manager, representing unaffiliated distributors on the board, and William Benjamin, Universal manager, as well as independent exchanges object to the clause.

Long Island Towns' Clearance Decided

Smithtown and Port Jefferson in Long Island shall be given the same availability, according to a decision of the New York clearance and zoning board Tuesday. A general session of Long Island exhibitors affected was held in order to clear up the situation.

The decision further adds that there shall not be clearance between Sayville, Port Jefferson or Smithtown and films become available as follows:

> Patchogue and Bay Shore shall have 14 days' clearance over the above mentioned towns if both towns play day and date with each other. However, when Bay Shore follows Patchogue, Bay Shore shall have only seven days' clearance.
>
> Huntington and Huntington Station shall have seven days' clearance over Smithtown on first run pictures. In the event any picture plays second run in Huntington or Huntington Station, that theatre shall not have any clearance over Smithtown. Pictures are to become available for Smithtown and Port Jefferson considering the above prior run.

Coast's New Zoning Plan Is Mailed Out

LOS ANGELES, July 4.—Copies of the new clearance and zoning schedule have been mailed to all independents, whether or not members of the Southern California I.T.O.A.

Opinion among the indies is that it is 90 per cent satisfactory and a step in advance for everyone. Exhibitors have 30 days in which to file protests and to be heard.

Members of the association are considering a plan to maintain a representative at Code Authority in New York to take care of independents' problems. The idea is to raise funds for the purpose and have a man familiar with clearance problems rather than a lawyer.

WHAT SHOWMEN THINK of the MANAGERS' ROUND TABLE CLUB . . .

SECTION OF MOTION PICTURE HERALD

. . .

JACK HOWE, manager, New Theatre, Woodstock, Va.—I have been keeping up with your Round Table section in the Herald weekly and I believe that if all exhibitors and managers would spend a little more time going over the Club pages, the depression for the exhibitors in the motion picture business would soon be at an end.

◀

R. D. LEATHERMAN, manager, Queen Theatre, Abilene, Texas.—No manager can operate a theatre and know what he is doing without a Herald on his desk. The Round Table section is invaluable.

◀

J. L. CARTWRIGHT, city manager, Halifax Theatres, Inc., Daytona Beach, Fla.—I think you have done marvelous work with your Managers' Round Table section, and you deserve congratulations as I believe it is greatly improved. I read it with a great deal of interest because it is "chuck" full of splendid ideas, and I have been very careful to keep a complete file.

JAMES R. PARTLOW, manager, Tipp Amusement Company, Tippecanoe City, Ohio.—I have found your section and the Herald in general to be of great aid to a "newly born" exhibitor, and am hoping, before long, to be able to contribute some things which may be of value to other showmen.

◀

JAMES E. DELANEY, Delaney Theatre, Gananoque, Ont., Canada.—I find the Herald and the Round Table the greatest help one can employ and will never be without it. In my estimate, it is worth ten times ten its cost. I hope to help you now, as soon as I can, in return.

◀

FRANK BOUCHER, city manager, Warner Bros., Hagerstown, Md.—The Motion Picture Herald and the Managers' Round Table Club are to be congratulated on inaugurating campaigns to stimulate showmanship.

◀

JOE KINSKY, district manager, Capitol and Garden Theatres, Davenport, Iowa.—Without trying to kid you, the Motion Picture Herald, and especially the Round Table Club, is a part of my life. I take all the copies home and I get a great deal more pleasure reading them than I do the newspapers. My wife is just as interested in your publications as I am. In fact, we both find pleasant hours every week going over the magazine from cover to cover.

◀

RICHARD L. MOSS, manager, California Theatre, San Diego, Cal. . . In offering the exploitation awards, the Managers' Round Table Club, the Motion Picture Herald and Mr. Quigley have added another accomplishment to the already long list for this publication.

◀

R. E. WATSON, unemployed manager, Los Angeles, Cal.—The Herald happens to be the only paper that does keep one posted, and I would be at a loss without it.

THERE IS NO SUBSTITUTE FOR CIRCULATION

SID S. HOLLAND, city manager, Elkhart Amusement Co., Elkhart, Ind.—Your sponsorship of the award of the Martin Quigley plaques for 1934 exploitation is another indication of the splendid cooperation emanating from the Round Table Club.

◀

EDWARD HARRISON, manager, Capitol Theatre, Pittsfield, Mass. —Want you to know that your Round Table department is very much appreciated.

◀

LEON PICKLE, manager, Kentucky Theatre, Henderson, Ky.—I hope that my ideas may be of as much help to some of the other members as their ideas have been to me in the past. Your department in the Herald is the department of showmen, for showmen, and the first to be read, from beginning to end, every week.

MERRILL F. HANNA, manager, Hollywood Theatre, Detroit, Mich. —We depend on the Herald in many ways, and your Club pages remain as interesting as always. Have arranged a filing system for the Heralds, having two years of copies neatly stacked away, with a separate little file classifying all the stunts of interest, what edition they were in, etc.

◀

HAROLD W. EVENS, manager, Loew's State, St. Louis, Mo.—I enjoy your Round Table department very much and find it very often valuable.

◀

ABE COHEN, manager, Schine's Massena Theatre, Massena, N. Y. — . . . I am always interested in what the other fellow is doing, therefore I always turn to your Round Table pages first when I receive my Herald.

A-MIKE VOGEL, *Chairman*
Managers' Round Table Club
DRAWN BY FAGG

JOE FELDMAN, Warner Brothers Theatres, Pittsburgh, Pa.—I don't suppose you would mind a compliment, since so few are usually the lot of trade paper editors. I think you guys are doing a remarkably showmanlike job in whooping up the Quigley Publications, and a white orchid is due you because the manner of promoting these publications is proving an inestimable service to live-wire showmen.

◀

NEVIN McCORD, manager, Granada Theatre, Boise, Idaho.—I appreciate the way in which I have been honored by the Motion Picture Herald and every one connected with the presentation of the Quigley Award for March. . . . The Round Table has always been a most valuable guide to me in my work. I have followed its suggestions from my early days in the theatre.

◀

WALTER L. GOLDEN, Riverside, Jacksonville, Fla.—I honestly believe that winning the April Quigley Award was the proudest moment of my life, for I have never received anything that I value so highly. . . . I want to thank you and everyone concerned for the consideration you gave me in this . . . and you can count on me to come right back as soon as we get a picture that will warrant a campaign.

◀

C. J. OTTS, manager, Palace Theatre, Rayse City, Texas.—I enjoy the Round Table discussions. They have proven quite helpful numerous times. I hope you keep up the good work.

◀

M. D. UTTERBACK, Lyric Theatre, Wellington, Kansas.—The Round Table columns are wonderful. They give an exhibitor an idea of how to play his show before he shows it. I find all of these stunts are good or the exhibitor wouldn't take the time to send them in if they weren't a success, but pass it on so someone else can profit by his successful experiment. We all are looking for new stunts that will bring them in without spending too much money.

Heat Wallops All Broadway Grosses Hard

Heat and outdoor attractions combined to hit Broadway grosses last week.

"Operator 13" made the best comparative showing, but this was pretty dull. It took $34,000 at the Capitol, with Abe Lyman's band and Leo Carrillo on the stage.

The Music Hall was down to $61,000 on "Let's Try Again." At the Paramount "The Great Flirtation" reached only $17,500. "Dr. Monica" had $15,815 at the Strand, and "Affairs of a Gentleman" took $13,700 at the Roxy.

Estimated takings:

Week Ending June 27:

"HALF A SINNER" (Univ.)
MAYFAIR—(2,300), 35c-85c, 7 days. **Gross:** $3,200.

"LET'S TRY AGAIN" (Radio)
RADIO CITY MUSIC HALL—(5,945), 35c-$1.65, 7 days. Stage show. **Gross:** $61,000.

Week Ending June 28:

"OPERATOR 13" (M-G-M)
CAPITOL—(4,700), 35c-$1.65, 7 days. Stage: Abe Lyman and band, also Leo Carrillo and others. **Gross:** $34,000.

"LIFE OF VERGIE WINTERS" (Radio)
PALACE—(2,500), 25c-75c, 7 days. Vaudeville. **Gross:** $11,000.

"THE GREAT FLIRTATION"
PARAMOUNT—(3,700), 35c-99c, 6 days. Stage show. **Gross:** $17,500.

"AFFAIRS OF A GENTLEMAN" (Univ.)
ROXY—(6,200), 25c-55c, 7 days. Vaudeville. **Gross:** $13,700.

"DR. MONICA" (Warners)
STRAND—(2,000), 25c-$1.10, 7 days. **Gross:** $15,815.

Week Ending June 29:

"MURDER AT THE VANITIES" (Para.) —4 days
"SUCH WOMEN ARE DANGEROUS" (Fox)—3 days
RKO CENTER—(3,700), 25c-55c, 7 days. **Gross:** $4,000.

Agent Fair Practice Code Is Discussed

Hollywood, July 4.—The entire code of fair practice between producers and agents and the latter's clients was discussed behind closed doors at the office of Emanuel Cohen of Paramount. Writers and actors weighed means of securing one code dealing with relations between agents and those they represent.

Developments at the meeting will be held under advisement until July 16, when a vote will be taken on a single plan of fair practice.

Cohen, B. B. Kahane, Winfield Sheehan and Jack Warner represented producers; Adolphe Menjou, actors; Wells Root, writers; George Frank, agents; Frank Lloyd, directors, and J. M. Nickolaus, technicians. Frank presided. Kahane will preside at the next meeting.

Trem Carr, fifth producer representative, could not be present, as he was recently operated upon. His condition is reported worse at the Cedars of Lebanon Hospital.

Will Post Release Dates

Buffalo, July 4.—General release dates on all pictures will be filed on the bulletin board in the office of the Buffalo code boards, 505 Pearl street, for guidance of exhibitors who need the information in requesting cancellations.

Looking 'Em Over

"I Can't Escape"

(Beacon Prod.)

Though its story may be commonplace to a certain extent, "I Can't Escape" seems to be made to order for neighborhood houses. A credit to the film is the high quality of its settings and the acting of the principals, especially Onslow Stevens, Lila Lee and Russell Gleason. There are also some good directorial touches.

Stevens, on parole, meets Miss Lee, an "on call" girl, and falls in love with her. They take vows to go straight and decide to buck life together. There is much footage devoted to Stevens' efforts to get a job. Finally he lands one with a crooked investment firm, which hires him with the intention of letting him take the rap should there be a run-in with the law. To advance their scheme the partners in the firm require him to adopt an assumed name.

When Gleason pops into the picture determined on killing Stevens in the belief he was responsible for selling his father phoney stock and driving him to suicide, Stevens takes him into his home in the hope he may be able to win him away from the idea of committing murder. When the partners skip with $100,000 invested in bad stock by a widow, Gleason discovers who Stevens really is, but forgets his animosity and makes it possible to apprehend the crooked brokers.

Other players are Otis Harlan, Clara Kimball Young, Nat Carr, Eddie Gribbon and Kane Richmond. Otto Brower directed. Running time, 59 minutes.

"The Star Packer"

(Lone Star-Monogram)

Patterned after the customary western formula, this John Wayne vehicle has its share of action and thrills for kid audiences and the western enthusiasts. There is the bandit infested territory with the mysterious outlaw leader, the stage coach holdups, shootings of stage drivers and sheriffs, the runaway coach with the romantic interest aboard, Verna Hillie, in this case, and the tracking of the outlaw leader and his ultimate downfall caused by Wayne, who takes the girl as his reward.

Fitted to this pattern are some good action episodes in the form of fist fighting, hard and fast riding, thrilling rescues and shooting scrapes on a wholesale scale which should satisfy those who like their film fare staged in the wide open spaces. Running time, 56 minutes.

"Winters" and Bernie Smash Detroit Draw

Detroit, July 4.—In a week of hot competition for the Rotarian convention trade the Fox, with a combination of "The Life of Vergie Winters" and Ben Bernie and his band ran up to $28,200, topping normal by $13,200.

The Michigan met this competition with $21,800 on "Smarty" and Cab Calloway and his orchestra. The competition was tough on other houses.

Total first run business was $67,700. Average is $65,000.

Estimated takings for the week ending June 28:

"THE THIN MAN" (M-G-M)
(2nd Run)
FISHER—(2,975), 15c-50c, 7 days. **Gross:** $6,800. (Average, $10,000)

"LIFE OF VERGIE WINTERS" (Radio)
FOX—(5,100), 15c-50c, 7 days. Stage: Ben Bernie and All the Lads. **Gross:** $28,200. (Average, $15,000)

"SMARTY" (Warners)
MICHIGAN—(4,100), 15c-50c, 7 days. Stage: Cab Calloway and His Cotton Club Orchestra. **Gross:** $21,800. (Average, $20,000)

BAER-CARNERA FIGHT
"STOLEN SWEETS" (Chesterfield)
STATE—(3,000), 35c-50c, 7 days. **Gross:** $3,600. (Average, $10,000)

"GAMBLING LADY" (Warners)
UNITED ARTISTS—(2,070), 25c-50c, 7 days. **Gross:** $7,300. (Average, $10,000)

"Dynamite," Fight Film, Frisco Lead

San Francisco, July 4.—Three houses skimmed the cream off the first run business here last week. At the Golden Gate a combination of "Strictly Dynamite" and the Baer-Carnera fight reached $19,000, over normal by $6,000.

Total first run business was $70,000. Average is $70,000.

Estimated takings:

Week Ending June 26:

"STRICTLY DYNAMITE" (Radio)
GOLDEN GATE—(2,800), 25c-35c-40c, 7 days. Stage: Band. Baer-Carnera fight pictures. **Gross:** $19,000. (Average, $13,000)

Week Ending June 27:

"AFFAIRS OF A GENTLEMAN" (Univ.)
"ORDERS IS ORDERS" (Gaumont)
ORPHEUM—(3,000), 15c-25c-35c-40c, 7 days. Happy-Go-Lucky radio stars on stage. **Gross:** $5,000. (Average, $9,000)

Week Ending June 28:

"BLACK MOON" (Col.)
"BIG TIME OR BUST" (Tower)
FOX—(4,600), 10c-15c-25c-35c, 7 days. Stage: Vaudeville. **Gross:** $6,500. (Average, $9,000)

"MANY HAPPY RETURNS" (Para.)
"SIDE STREETS" (Warners)
PARAMOUNT—(2,670), 15c-35c-40c-65c, 7 days. **Gross:** $8,500. (Average, $12,000)

"THIN MAN" (M-G-M)
ST. FRANCIS—(1,400), 15c-25c-40c-65c, 7 days. **Gross:** $8,500. (Average, $8,000)

"LITTLE MISS MARKER" (Para.)
WARFIELD—(2,700), 25c-35c-55c-65c, 7 days. Stage: Walter Winchell, band. **Gross:** $22,500. (Average, $19,000)

"Sailors" and Fight Hold in Philadelphia

Philadelphia, July 4. — Hot weather and the church boycott took the starch out of Philly's film business last week.

Only the Fox, with the Baer-Carnera fight pictures held over for a second week to help the stage show and "She Learned About Sailors," got a good break, grossing $15,000. In spite of the fact that the fight films had already been released to the second runs, they proved a draw at the Fox.

The Earle was fair with $11,500 for "Personality Kid" and a stage show. "The Thin Man," all breaks considered, did well with $10,500 at the Stanley.

Total first run business was $54,800. Average is $60,900.

Estimated takings for the week ending June 28:

"30-DAY PRINCESS" (Para.)
(2nd run)
ARCADIA—(600), 25c-40c-50c, 6 days. **Gross:** $1,800. (Average, $2,400)

"WHERE SINNERS MEET" (Radio)
BOYD—(2,400), 40c-55c-65c, 6 days. **Gross:** $8,000. (Average, $12,000)

"THE PERSONALITY KID" (Warners)
EARLE—(2,000), 40c-55c-65c, 6 days. Stage: Wesley Eddy, Sibyl Bowan, the Lee Gails, Verdi and Lee. **Gross:** $11,500. (Average, $12,000)

"SHE LEARNED ABOUT SAILORS"
(Fox)
FOX—(3,000), 30c-40c-60c, 6 days. Stage: Roxy Theatre Ensemble, Serge Flash, 3 Samuels Brothers, Bernardo de Pace. Also Baer-Carnera fight films for a second week. **Gross:** $15,000. (Average, $12,000)

"PRIVATE SCANDAL" (Para.)
KARLTON—(1,000), 30c-40c-50c, 6 days. **Gross:** $2,500. (Average, $3,500)

"THE THIN MAN" (M-G-M)
STANLEY—(3,700), 40c-55c-65c, 6 days. **Gross:** $10,500. (Average, $12,000)

"THE BLACK CAT" (Univ.)
STANTON—(1,700), 30c-40c-55c, 6 days. **Gross:** $5,500. (Average, $7,000)

"Winters" Fair as Providence Slumps

Providence, July 4.—It was another week of small grosses with showmen trying to compete with the lure of outdoors. RKO Albee was the only house to come anywhere near its average, catching $6,500 with "Life of Vergie Winters" and "Let's Try Again." Majestic, Loew's and Paramount had small takes.

Total first run business was $27,500. Average is $40,500.

Estimated takings for the week ending June 28:

"FOG OVER FRISCO" (F.N.)
"THE CIRCUS CLOWN" (F.N.)
MAJESTIC—(2,400), 15c-40c, 7 days. **Gross:** $4,000. (Average, $7,000)

"I GIVE MY LOVE" (Univ.)
"HAROLD TEEN" (Warners)
FAYS—(1,600), 15c-40c, 7 days. **Gross:** $3,000. (Average, $7,000)

"BORN TO BE BAD" (M-G-M)
LOEW'S STATE—(3,800), 15c-40c, 7 days. Benny Davis on stage. **Gross:** $9,000. (Average, $12,000)

"MANY HAPPY RETURNS" (Para.)
"FIFTEEN WIVES" (Chesterfield)
PARAMOUNT—(2,300), 15c-40c, 7 days. **Gross:** $4,000. (Average, $6,500)

"LIFE OF VERGIE WINTERS" (Radio)
"LET'S TRY AGAIN" (Radio)
RKO ALBEE—(2,300), 15c-40c, 7 days. **Gross:** $6,500. (Average, $7,000)

"MYSTERY LINER" (Col.)
"BLUE STEEL" (Col.)
RKO VICTORY—(1,600), 10c-25c, 4 days. **Gross:** $1,000. (Average, $1,000)

The Leading Daily Newspaper of the Motion Picture Industry

MOTION PICTURE DAILY

Alert, Intelligent and Faithful Service to the Industry in All Branches

VOL. 36. NO. 4 — NEW YORK, FRIDAY, JULY 6, 1934 — TEN CENTS

Buying Co-op Revamps with A New Entity

Detroit Group "Safe" Under Law: Moon

DETROIT, July 5.—Asserting all questions of legality are now removed, Mid-States Theatres, Inc., Detroit booking combine long subject to local wrangling and target of many thrusts by local exhibitors, drops out of the picture and gives way to a new company to be known as Co-operative Theatres of Michigan, Inc.

Capitalized at $50,000 and incorporated under a law passed in 1931, Co-operative hops all legal hurdles and finds itself comfortably ensconced

(Continued on page 3)

Chicago Overbuying Case Is An Enigma

CHICAGO, July 5.—Case number one, Ben Bartelstein's complaint of overbuying against Schoenstadt, continues to be the enigma of the local grievance board.

After many hearings Bartelstein was awarded 46 pictures in the three-cornered situation which involved his Annette theatre, the Schoenstadt Palace and the Villas, all of Cicero. The

(Continued on page 3)

Chicago FTC Probe Going to Washington

CHICAGO, July 5. — The Federal Trade Commission probe into duals, sponsored by the I. T. O. A., is still under way with the report scheduled to go to James Horton, chief examiner

(Continued on page 3)

May Wipe Out Weak Issues on 'Changes

WASHINGTON, July 5.—Elimination of weak and speculative issues from stock exchange listings in a number of

(Continued on page 11)

"Gwyn" to U. A.

"Nell Gwyn," produced in London by British and Dominion, has been acquired for American distribution by United Artists.

This is the picture which Herbert Wilcox will preview at the Astor Tuesday night.

Warners After Domination Of Northern Jersey Sector

With acquisition practically set for eight theatres, Warners intend to further solidify their New Jersey holdings shortly. Negotiations are understood under way with a number of independents for theatres which will give Warners virtual domination in territories in which they now operate.

Operation of the five Bratter & Pollack and three Rapf & Rudin houses will be taken over within the next few weeks by Warners.

Seeks Accord on Boycott; Delaware Talks Shutdown

WILMINGTON, Del., July 5.—Independent exhibitors in this area assert that, unless the boycott by church members in protest against allegedly indecent pictures is lifted, they will have to close their houses. They state the boycott has become effective here. Announcement was also made that if the Warners and independents in the Philadelphia area are closed they will have to close here also because films will not be available. This slant was not explained.

A. Joseph DeFiore of Wilmington,

(Continued on page 6)

The hope that it will be unnecessary to close the 75 Stanley-Warner theatres in Philadelphia as a result of the church boycott of all houses in the archdiocese is expressed in a statement on the situation issued yesterday by Joseph W. Bernhard, general manager of Warner theatres.

The statement concedes, however, "that if the boycott should succeed in its object it will clearly be impossible for us to continue to operate the theatres at a loss."

Bernhard's statement comes as a

(Continued on page 6)

Arthur Will Oversee St. Louis Spots

With approval of the sale of the Ambassador, Missouri and Grand Central in St. Louis to the bondholders' committee, Harry C. Arthur will personally supervise operations when F. & M. takes them over. Acquisition becomes effective with dissolution of

(Continued on page 16)

Tussle Over Cleveland's Zoning Near

CLEVELAND, July 5.—A fight over clearance proposed for Greater Cleveland is in the making. Currently it is brewing over a special classification set up for downtown theatres charging 15 cents during the day and 20 cents at night. Now getting product on the

(Continued on page 3)

Quality Clause in British Quota Act Seen Possibility

By BRUCE ALLAN

LONDON, July 5.—Introduction into the Quota Act of a clause covering quality today loomed as a possibility, to be sponsored in exhibitor ranks, following the statement in Commons of Walter Runciman, president of the British Board of Trade, that he would be pleased to consider any representations from the industry relative to the quality of quota films.

Runciman declared he had noted exhibitor protests at the recent C. E. A. convention at Blackpool, but pointed out more than double the statutory number of quota productions was available in the last quota year.

His comment developed by way of reply to a question citing widespread theatre complaint allegedly arising from an unjust interpretation of the act itself.

Darrow Will Aid ITOA on Code Revise

With Lowell Mason Will Contribute Services

Clarence Darrow, former head of the NRA Review Board, and Lowell B. Mason, former Review Board counsel, will contribute their services to the I. T. O. A. and other industry factions dissatisfied with the code in an effort to obtain changes in the code sought by independent groups, Harry Brandt, I. T. O. A. president, said yesterday at a luncheon meeting of his organization at the Astor.

Darrow, scheduled to be the guest of honor at the meeting, did not attend. His absence was explained by Brandt as due to illness but Milton C. Weisman, counsel for I. T. O. A., told the meeting later that he had

(Continued on page 3)

See New Delay in Fox Met. Dickers

A fifth postponement of the Federal court hearing for approval or disapproval of the Loew-Warner $4,000,000 offer for Fox Metropolitan Playhouses appears to be in prospect for today as a result of the inability of the bidders to conclude negotiations yesterday with

(Continued on page 16)

Salary Report Nears; Scope Halts Release

WASHINGTON, July 5.—General statistics and conclusions of the salary investigation will probably be made public as soon after presentation on Saturday to General Johnson as the volume of work in the Government Printing Office will permit, it was said today by Division Administrator Sol A. Rosenblatt.

The report will be so lengthy that mimeographing will be impossible, Rosenblatt declared. In all probability, a week or more will be required for the document to go through the printing office.

Clicks to $94,500

"Of Human Bondage" closed its first week at the Music Hall Wednesday night to a $94,500 week, without tax, or $500 less than *Motion Picture Daily's* estimate. The July 4 gross was $18,000.

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"Nie" Plans Retirement

ST. LOUIS, July 5.—Harry Neimeyer, veteran critic and dramatic editor of the *Post-Dispatch,* has decided to retire, it is learned unofficially. Neimeyer, writing as "Nie," has gained a large following for his fair and unbiased reviews. He will be 60 years old shortly and will leave shortly for Hollywood where he has purchased a home.

Arthur Schlaifer Dead

OMAHA, July 5.—Funeral services were held here for Arthur D. Schlaifer, 21, brother of Charles Schlaifer, advertising and publicity man for Blank Tri-States Theatres in Omaha.

Myrna Loy Ill

HOLLYWOOD, July 5. — Myrna Loy was taken ill while in San Francisco, necessitating her remaining there for an additional week.

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Film Gains Reported By Cleveland Bank

CLEVELAND, July 5.—Paid admissions at approximately 80 first runs and neighborhood houses in Cuyahoga County increased to a total of $3,523,025 in the first five months of this year, comparing with $2,147,876 in the same period of 1933, says the Cleveland Trust Co. in an advertisement in the *Cleveland Press.*

ITOA Case on NIRA Validity Is Deferred

ALBANY, July 5.—The Court of Appeals adjourned today until October without having decided the case of Sherman vs. Ables, which involves the Independent Theatre Owners' Ass'n. and Local 306, I. A. T. S. E., and the constitutionality of the NIRA and the state enabling act.

Sues Eastman Kodak

ROCHESTER, July 5.—Eastman Kodak is being sued in Federal Court here by the Hill Manufacturing Co., Kansas City, Kan., which asks damages of $9,000,000 on the charge of infringement on patents for refrigeration used in the making of film. The plaintiff alleges one of its machines was employed by the defendant as a model for a larger unit.

Novarro Will Return

HOLLYWOOD, July 5.—Ramon Novarro's new contract with M-G-M has prevented the actor from extending his concert tour to Europe. Novarro will leave Rio de Janeiro July 12 and will arrive in New York July 27, and in Hollywood August 1 where his first picture will be "In Old Vienna" with Evelyn Laye.

Plans Still Formulating

HOLLYWOOD, July 5.—Plans of Major Film Prod., recently authorized by the Federal Trade Commission to float its stock, are not sufficiently advanced to talk about them, according to Fred Church, president of the company.

Re-Sign Elliott Nugent

HOLLYWOOD, July 5.—Elliott Nugent has been handed a new contract by Paramount. The new ticket calls for the actor to do six pictures over a period of time extending to September, 1935.

Sandwich Films Win Victory in Memphis

MEMPHIS, July 5.—Movement to beat the blue laws by offering free films on Sunday with the purchase of food and drink has scored a victory here with the refusal of the Shelby County Grand Jury to hand down an indictment against Charles Mensing, manager of the Orpheum, who introduced the experiment recently.

The theatre has been keeping open Sundays with a charge of 40 cents for a sandwich and a drink, with the purchaser's privilege of seeing a free show. On three occasions Mensing has been arrested and required to pay fines totaling $75.

The action of the Grand Jury is believed to have paved the way for the opening of other theatres on Sunday in this city and elsewhere in Tennessee.

Sunday Films Allowed

BRONXVILLE, N. Y., July 5.—The showing of films on Sunday has been approved by the Bronxville Village Board.

Goman Off Tomorrow

George W. Goman, secretary of the West Coast Service Studios, sails tomorrow aboard the *Ile de France* in connection with a series of European-financed productions to be made in New York next season. He will be away six weeks or more.

To East on Vacations

HOLLYWOOD, July 5.—Miriam Hopkins is enroute to New York for a two weeks' vacation before returning for the leading role in "Richest Girl in the World" at Radio.

Gary Cooper, accompanied by his wife, has also left for New York.

Salary Tiff Settled

HOLLYWOOD, July 5.—The reported salary dispute between Claire Dodd and Warners has been amicably settled and the actress has taken up her term ticket where she left off two months ago.

Brown Assigned Three

HOLLYWOOD, July 5. — Harry J. Brown's first productions on a new associate producer's contract with Warners will be "Captain Blood," "The Case of the Curious Bride" and "The Irish in Us."

Eastman Pfd. Off 2 on Big Board

	High	Low	Close	Net Change	Sales
Consolidated Film Industries, pfd	14	14	14	— 1/8	100
Eastman Kodak	99	98	98 3/8	+1 5/8	200
Eastman Kodak, pfd	143	143	143	—2	10
Fox Film "A"	13	13	13	+ 1/2	500
Loew's, Inc.	28 3/4	27 7/8	28	— 1/8	2,700
Loew's, Inc., pfd	91	91	91	—1	100
Paramount Publix, cts	3 3/8	3 1/4	3 1/4	— 1/8	500
Pathe Exchange	2 1/4	2 1/4	2 1/4	+ 1/4	100
Pathe Exchange "A"	20 1/2	20 1/2	20 1/2	+ 1/4	300
RKO	2 1/8	2 1/8	2 1/8	.....	100
Warner Bros.	5 1/8	5	5	— 1/8	2,500

Technicolor Up Eighth on Curb

	High	Low	Close	Net Change	Sales
Technicolor	13 5/8	13 5/8	13 5/8	+ 1/8	100
Trans Lux	1 1/2	1 1/2	1 1/2	.....	100

Warner Bonds Advance 3/4

	High	Low	Close	Net Change	Sales
General Theatre Equipment 6s '40	8	8	8	— 1/2	1
Keith B. F. 6s '46	68 7/8	68 7/8	68 7/8	— 1/8	1
Loew's 6s '41, ww deb rights	101	101	101	+ 1/2	2
Paramount Broadway 5 1/2s '51	41 1/2	41 3/8	41 3/8	— 5/8	4
Paramount Publix 5 1/2s '50	49 7/8	49 7/8	49 7/8	— 3/8	2
Warner Bros. 6s '39, wd	55	54 1/2	55	+ 3/4	3

Purely Personal

ARNOLD RITTENBERG of Mentone is back from Atlantic City, where he attended the Columbia regional convention. "RITT," whose company will release the "Spice of Life" one-reelers through Columbia, met many of the men who attended while operating theatres in many parts of the country.

LYNN SHORES, president of the West Coast Service Studios, leaves Monday with a camera and sound crew for up-state New York, where he will produce an industrial feature for the Niagara Hudson Power Co.

SAUL TRAUNER is full of smiles. The only Columbia salesman to sell 100 per of his possibilities this season, he was publicly commended for his enterprise by ABE MONTAGUE at the Columbia powwow down on the shore.

ALBERT SADACCA of the Windsor Circuit, Brooklyn, suffered a broken artery in his leg at the I. T. O. A. luncheon yesterday and had to be removed to a hospital.

W. RAY JOHNSTON, RUSSELL BELL, HARRY THOMAS and PHIL ROSEN are in the thick of a croquet contest on the grounds of the BELL manor in Ossining.

HARRY RATHNER, of Principal, returned yesterday from a five-week tour of the country on which he sold "Chandu" and other pictures to state right distributors.

CLAIRE JULIANNE is en route to Hollywood with style dope for use of the Wampas "Baby Stars" in "Young and Beautiful." Mascot will produce.

HAL SUGARMAN, U. A. manager in Panama, is in town for a short vacation. He is scheduled to sail for Panama on the 19th.

PAUL BENJAMIN leaves today for North Carolina to visit his sister. He's on vacation.

WILLIAM SCULLY has gone to New England on an M-G-M business trip.

WESLEY EDDY returns as master of ceremonies at the Roxy shortly.

OSCAR DOOB of Loew's is on the vacation list.

"U" Signs Child, 2 1/2

HOLLYWOOD, July 5.—Juanita Quigley, two and a half years old, has been signed by Universal for a role in "Imitation of Life," upon the completion of which she will go under a long-term contract.

Sets Record for Fourth

LOS ANGELES, July 5.—Loew's State here broke all house records yesterday for the Fourth since its opening, playing to 10,400 admissions, with "Operator 13" the attraction.

Anna Wong Returning

HOLLYWOOD, July 5. — Anna May Wong leaves England, July 8, leaving directly for Hollywood to take an important spot in Paramount's "Limehouse Nights."

Epstein London-Bound

DAVE EPSTEIN, well-known Hollywood agent, is in New York preparatory to a London business trip. He expects to sail on the *Ile de France* tomorrow.

Darrow Will Aid ITOA on Code Revise

(Continued from page 1)

met Darrow at the train on his arrival from Washington yesterday and urged him not to attend if he felt in need of rest. Mason was there, however, and spoke in Darrow's place, assuring the more than 100 exhibitors present that both Darrow and himself would work against the code in their behalf, believing the code to be "the most pernicious that has come under the scrutiny of the Review Board."

Brandt stated that Darrow would work without compensation. While in New York, the Chicago criminal attorney's headquarters will be maintained at the residence of Arthur Garfield Hays. Mason will serve with compensation and will make his headquarters at the law offices of Weisman, Allan & Spett.

May Postpone Sailing

Whether Darrow will now proceed with his announced plans of sailing for Europe late next week, or alter them, could not be ascertained yesterday. A statement on this was promised by Mason for today.

Mason and Brandt disclosed yesterday that an agreement to submit block booking and the right to buy disputes to an arbitration board of nine had been reached in Washington during the Review Board hearings on the code but had been rejected later by Will H. Hays, M. P. P. D. A. head. It was stated that, had the agreement been accepted, the I. T. O. A. and other independent factions would have signed the code wherever assents had been withheld.

The arbitration agreement was reached, it was said, during a meeting of Mason, Weisman and Abram F. Myers of Allied States with C. C. Pettijohn, M. P. P. D. A. general counsel. It provided for the submission of any dispute on picture rejections or inability to buy to a board consisting of four members who were to be appointed by Hays, four by unanimous vote of Code Authority, or by Darrow in the event a unanimous vote could not be had, and a ninth to be named by the chairman of the Federal Trade Commission.

It was indicated yesterday that this or a similar agreement may be revived as one of the objectives of the Darrow-Mason-I. T. O. A. campaign against the code.

Cites Attorney General

Mason told the meeting that the head of the anti-trust division of the attorney general's office had reported to the Review Board that "more anti-trust complaints were received against the film industry than against any other industry in America."

"The code," Mason said, "permits the people who sell you the commodity you deal in to tell you how to run your business. This goes on because eight people can tell 13,000 what to do."

He said that the Review Board was swamped with complaints against the film code, but that it had no witnesses until Brandt appeared before it "with enough witnesses to keep us busy for days." He said that Darrow had wanted to be present at yesterday's meeting to thank Brandt and the I. T. O. A. for that.

Brandt stated that Darrow was offering his services because "he knows the code to be unfair and because nothing has been done about it since the submission of the Review Board's report."

Holidays Again

The New York grievance board takes a holiday for the third time in a row next Tuesday, regular meeting day. No cases are on tap.

Review Board Held Dead Before July 1

WASHINGTON, July 5—The National Recovery Review Board was abolished even before its three surviving members on July 1 announced that they would take a 10-day recess in order to give the President an opportunity to call them back to Washington if he desired. It was made known today with publication by the White House of an executive order dated June 30.

In the order the President explained that "whereas said board has made three reports to the President in the exercise of its duties and functions and has substantially completed the work for which it was established; and whereas the chairman and two other members of the board have resigned and any further investigations and reports would not be representative of the board as originally constituted, or serve to effectuate the purposes for which it was created," the board was to be dissolved on July 1.

Approves Budget to Defend Code Bodies

WASHINGTON, July 5—The National Recovery Administration today approved an application of the Code Authority legal committee authorizing it from time to time to incur expenses not exceeding $5,000 to engage counsel to defend in litigation the members of the clearance and zoning boards, grievance boards, Code Authority and the executive secretary. In no event, it is provided, shall the appropriation be construed to mean any addition to the administrative budget.

St. Louis Appealing

ST. LOUIS, July 5.—Appeals have been taken from recent rulings of the clearance board in the cases of Ed F. Clarke, Majestic, Springfield, Ill., versus the Fox-Mississippi Corp., Fox Lincoln and Fox Tivoli, Springfield, Ill., and Karasotes Bros.' Strand and Senate, Springfield, Ill., versus the Fox-Mississippi Corp., Fox Lincoln and Fox Tivoli, Springfield, Ill.

Hearing May Be July 23

WASHINGTON, July 5.—First public hearing on code amendments will probably be held July 23 by Division Administrator Sol A. Rosenblatt.

To Meet Every 10 Days

CLEVELAND, July 5.—The clearance board will hold its next meeting July 10 and every 10 days thereafter instead of every Friday.

Tussle Over Cleveland's Zoning Near

(Continued from page 1)

57th day, the proposal would set them back to the 77th day, thereby affecting the Caneo, Carter, Strand, Mall, Standard and Roxy.

Charging this a "discriminatory determination," W. M. Skirboll of the Cameo has entered a formal protest against this classification. Meyer Fischer, representing the Mall, has also filed a protest.

This clause appears in a schedule developed following protest against the present agreement filed by the Hough Improvement Co. in which M. B. Horwitz of the Washington Circuit is interested.

Affecting 90 Greater Cleveland houses, the suggested zoning plan provides 35 days for first run clearance, which is the same as the old schedule. The board, however, conceded to the request of Hough Improvement by advancing the availability date on second run pictures whenever the circuits advanced their second run dates in their own second run houses.

Houses charging 20 per cent evening adult admission prices would get pictures 49 days following the completion of the first run, as against the old schedule of 57 days clearance.

Fifteen-cent houses would get their pictures 77 days after completion of the first run, as against 63 days in the old schedule. Ten-cent houses will get pictures on the 150th day as against 100 days now. Clearance for houses playing double features is proposed at 365 days after the advertised national release date of pictures. Under the old schedule of 57 days' clearance. 100 days after the conclusion of the local first run.

Other terms of the schedule are that 20-cent houses are to have 70 days' clearance over 10-cent houses, and 15-cent houses shall have 45 days' clearance over 10-cent houses.

Chicago Overbuying Case Is An Enigma

(Continued from page 1)

Villas figures in the triangle as a house with which Schoenstadt had bought split selective programs.

After the board's decision it was discovered that Universal and Paramount could not release clear to Bartelstein their share of seven and 10 pictures, respectively, because of a contract with the Villas, which was not covered in the Schoenstadt split.

When the board learned that this was not brought out at the hearings the case was reopened, and a new determination, apparently quite ignoring the pictures awarded Bartelstein previously was rendered. This decision determines that while the Palace, having selective contracts, is in a position to deprive the Annette of bookings, the Palace is directed to select its pictures and notify distributors not less than 14 days in advance of the first day of the week availability of the Palace.

And that's where the case stands, pending filing of an appeal by Bartelstein. The history of the case is being forwarded to John C. Flinn.

Buying Co-op Revamps with A New Entity

(Continued from page 1)

"in the shade of the old apple tree," according to Ray Moon, general manager of the new, as well as of the old, corporation.

"In the past," Moon said, "certain factions have raised a question concerning our right to exist. Formation of the new company removes all possible doubt, as the law of 1931, which has been tested in the Supreme Court and upheld, completely protects us."

Former officers of Mid-States have been elected in like capacities. They are: James Robertson, president; Fred DeLodder, vice-president; Barney Kilbride, secretary; Frank Wetsman, treasurer, and Ray Moon, general manager. All former members of Mid-States retain their membership in the new combine.

Moon said that the Sam Brown circuit of houses had joined, as well as the Eastown, just taken over by Lou Wisper. A $60,000 suit, which provides for a triple penalty of $180,000, filed in Federal court some months ago by Brown, will be dropped, according to Moon. The suit charged restraint of trade, citing specifically the case of Brown's Oriole being unable to get product in competition with Wetsman's Linwood-LaSalle.

Under the new setup, Moon continued, the new combine will have complete control of buying and booking for its members, Mid-States having merely booked film after exhibitor-members had contracted for it. The new company will be responsible for payment of film bills as well as booking and buying for the houses.

Expect 24 Appeals Ready by Thursday

With eight cases already reviewed, Campi code appeal committees expect to have at least 24 appeal recommendations by next Thursday when Code Authority convenes.

Four appeals were discussed Monday and a like number yesterday. With R. H. Cochrane, Robert Wolff and J. Louis Geller sitting, the following appeals were heard:

S. Hochstim, Star, Hudson, N. Y., against Hen-Wil-Hen Corp., same city, on overbuying. The plaintiff appeared in person and William Frieder acted for the defendant.

W. E. Eagen represented the Camden Drive-In Theatre, Inc., Camden, N. J., against RKO for failure to deliver contracted films. Willard Younger acted for RKO.

Fred Lind, Grand, Littleton, Colo., against Thomas A. Sullivan, Gothic, Englewood, Colo., on reduced admissions.

M. Ewing, Amus-U Theatre, LaHarpe, Ill., against Andrew L. Hainline, Illinois Theatre, Macomb, Ill., on clearance and zoning.

Chicago FTC Probe Going to Washington

(Continued from page 1)

in Washington, some time within the next five weeks, according to William F. Dinnen, local Federal Trade Commission agent. Dinnen declared there would be no letup in the investigation and the full report will go to Washington on its completion with data requested from the home film offices.

EVERY- SH
"ROAD- SH

WARNER BROS.' ROYAL BLUSH

Dolores

DEL RIO

in

Madame

Du BARRY

VERREE TEASDALE • VICTOR JORY • REGINALD OWEN • OSGOOD PERKINS • And 17 Other Featured Stars. . . . Directed by William Dieterle

Vitagraph, Inc., Distributors

Pledge Cards Circulating In K.C. Now

KANSAS CITY, July 5.—Signing of Legion of Decency pledges is under way in 125 Catholic churches in the Kansas City diocese following the reading at all services of a pastoral letter by Bishop Thomas F. Lillis. Approximately 500 cards were signed at the Cathedral of the Immaculate Conception. A report on the total number of signatures will be made later.

Copies of the *Catholic Register*, official diocese publication, carrying the "decency pledge" and the bishop's message in full and devoting much space to the campaign in general, were distributed at the doors of the churches.

Calls Priests to Conference

Prior to ordering the pastoral letter read, Bishop Lillis called into conference all priests in Kansas City and Independence, Mo., together with priests representing the larger parishes in Springfield, Sedalia, Boonville, Marshall and Joplin, Mo. The bishop explained the part the Catholics are taking in the film crusade. He emphasized there was "no reform in this move," the sole purpose being "clean plays in the playhouses of America," he said.

In his message to the communicants, Bishop Lillis branded the "sex magazines" and sensational publications of the "confessions" type as offenders against morals and decency, and described them as by-products of "the salacious motion pictures."

"I have nothing but praise for the metropolitan press, however," continued the bishop. "The large newspapers of this country have moral standards and they keep them. Much has been done by the metropolitan papers to keep down the flood of dirty motion pictures and the filthy magazines."

Waging Long Fight

Bishop Lillis for years has been campaigning against indecencies on the screen and stage and in the sensational magazines available at the newsstands. In his recent report to the Pope, the bishop dwelt on the "encroachment of indecency" from these sources.

Bishop Lillis charged that "less than a dozen magnates actually control" the industry and blamed them "for this moral depravity." He said they violated their pledges to observe the production code.

A resolution urging their members to boycott indecent films has been adopted by ministers of the Kansas City district Methodist Episcopal church, South, at a meeting here. The resolution states:

> "The ministers of the Kansas City district, M. E. Church, South(realizing that a stream of indecency is flowing through the picture shows to the detriment of the ideals and morals of a large number of the people, join with other groups of churches and social welfare groups in utterly condemning this lewd and filthy outflow. We ask our people to join in refusing to patronize such shows. We assure the producers of our interest in wholesome productions, but our patience is exhausted by the present low order of production."

Want Undesirable Films Out 100%, Not Merely Censored

Columbus, O., July 5.—A checkup by *Motion Picture Daily* here reveals that 300 petitions bearing signatures of 25,000 Ohioans asking for complete rejection of undesirable pictures, not merely deletions, have been received by Dr. Beverly O. Skinner, state director of education, and ex-officio of the state censor board. Forty-six hundred petitions were circulated by the Ohio Council of Churches to pastors throughout the state.

In a letter addressed to Skinner by W. J. Powell, operating the Lonet, at Wellington, O., the town's only house, he appeals, as "a small town exhibitor, to take such action as will result in complete rejection of off-color and vicious pictures."

"My patrons now are picture-conscious," Powell writes, "and are looking for bad spots in every film. It is an absolute fact that the kind of pictures produced during the past several years has driven away from my theatre a constant clean-minded patronage."

He complained that under block booking he is unable to shelve the pictures which he knows in advance his patrons will disapprove.

Lima, O., July 5.—Injecting the political angle into the situation, John A. Elden, Cleveland, seeking Republican nomination for governor, told a meeting sponsored by the Citizens' Non-Partisan League here, that the state board of censors had pitifully failed to clean up films in Ohio. "More than that," he charged, "the Democratic party has been responsible for greatly increasing the expenditures of the censor board."

Seeks Accord on Boycott; Delaware Talks Shutdown

(*Continued from page* 1)

president of the Independent M. P. T. O. of Delaware and the Eastern Shore of Maryland, in which group there are 46 houses, said members of the association recently filed a formal protest with the producers, informing them that they would have to do something to "clean up" the films because the boycott against the alleged indecent movies was being felt by them.

"Unless something is done," DeFiore said, "we will be compelled to close most of the theatres in this state and on the Eastern Shore of Maryland. While the church people may be right to some degree in their protests, they are killing our investments in our theatres. We, the theatre owners, are helpless in the matter because we have no say in the selection of the films that are shown in our theatres. We are compelled under our contracts to show the pictures the producers send us.

Finds Boycott Felt

"The boycott in this city and State and on the Eastern Shore has been severe in spots and now it is being felt all down the line. The people are just not going to the movies." He said the local independents are awaiting word from the M. P. T. O. A. in Philadelphia and as soon as they issue any closing orders he will call a special meeting of his group here to decide on what action they shall take.

Warner theatre men in this city stated that they had received no word that the houses would close within two weeks and knew nothing about the closing. It was further stated that the order would not affect Wilmington and that, so far as the boycott was concerned, it was not felt by the Warners here.

Loew's Parkway announced that it

(*Continued on page* 11)

(*Continued from page* 1)

verification of Philadelphia reports that Warners would close all of their theatres in the territory because of the boycott. Commenting on the reports Tuesday, Bernhard said at that time that nothing definite had been decided in this respect. Independent exhibitors in the territory have declared that they stand ready to follow Warners' lead in closing houses throughout the entire Eastern Pennsylvania, Southern New Jersey and Delaware territory.

The Bernhard statement says that the Stanley-Warner circuit "has felt compelled to notify its employes and the various firms with which it does business that a general closing of our theatres may be forced upon us within the next two weeks."

Forced to Take Step

"We have been driven to this step," the statement continues, "by the manifest possibilities of the boycott endorsed by Cardinal Dougherty, Archbishop of Philadelphia. That boycott has not discriminated between pictures supposed to merit approval and others supposed to merit condemnation; it is directed against motion picture theatres as such.

"The following paragraph is from a letter which I wrote on July 5 to His Eminence, Cardinal Dougherty:

" 'Motion picture theatres, in common with other enterprises, have suffered greatly during the depression. It has been a great effort to maintain and operate theatres in your diocese, which give employment to upwards of 900 people. In spite of the great decline in theatre receipts during the past years, but in line with President Roosevelt's policy, we have retained the maximum number of employes and are paying them maximum com-

(*Continued on page* 11)

Church Drive Continues to Upset Nation

PHILADELPHIA, July 5—With the boycott instituted by Cardinal Dougherty endorsed by the Pope and no change in the stand assumed by the former in sight, the local situation continued upset today.

Warners and the M.P.T.O.A. are apparently standing by their guns and their decision to darken all of their theatres unless the boycott at large is lifted in favor of church displeasure directed at films deemed objectionable. The Catholic Church, likewise, gave no indication today of any switch in its decision.

The Independent Exhibitors Protective Ass'n, new exhibitor unit not affiliated with the M.P.T.O.A., today declared it had "no intention of cooperating in protests against the attitude of churches which have voiced objections to improper films." Morris Wax, chairman of its board of managers, declared his association "desires to bring about a cleansing of pictures." At the same time, he pleaded against an "indiscriminate blanket boycott of all pictures" on the ground such action is affecting "many innocent people who have nothing to do with production of the films and who have shown only clean, decent pictures."

Says Catholic Campaign Aims at Duals' Death

BUFFALO, July 5.—Elimination of double features, "so prominent in neighborhood houses," is a major objective in the Legion of Decency campaign for better films, Rev. Alfred J. Barrett, S.J., moderator of the Student Sodality Area Conference, told the Holy Family Church sodality here.

Father Barrett quoted remarks of his uncle, Amedee J. Van Beuren, producer for RKO, made at the recent convention in Chicago. Father Barrett has a brother who is an actor and a brother and sister in distribution.

Charges "Evil" Films Are Cause of Crime

NIAGARA FALLS, N. Y., July 5.—"Evil" pictures are a crime cause, Charles H. Tuttle, former Federal attorney for the Southern District of New York and 1930 Republican candidate for governor, declared at the ninth annual meeting of the Federation of Bar Ass'ns of Western New York here. He lauded the movement of Catholic, Protestant and Jewish denominations for cleaner pictures.

Criticizes Movement To Boycott Theatres

COLUMBUS, O., July 5.—Criticizing the movement to boycott theatres in an effort to uplift film standards, Rev. Otto Ebert, of the Christ Lutheran Church, in a pastoral statement just released, says:

> "I do not like the spirit of the boycott. I consider it to be un-American, although its application seems to be truly democratic. If the League of Decency can control so large a number of cinemagoers that its voice will be heard in the box-

(*Continued on page* 11)

COLUMBIA MARCHES ON

with

48 FEATURE PRODUCTIONS

through

1934 · · 1935

Your needs and desires
and our aims and hopes
are one and the same:
GOOD PICTURES ... *We ask for*
your continued faith and
confidence in Columbia
With it WE MUST SUCCEED—TOGETHER

Join the Parade to Gr

2 FRANK CAPRA PRODUCTIONS

THE FIRST OF WHICH WILL BE

BROADWAY BILL

featuring WARNER BAXTER and MYRNA LOY

with Lynn Overman, Raymond Walburn, Clarence Muse, Douglas Dumbrille. By Robert Riskin, from "Strictly Confidential," by Mark Hellinger.

8 Extended Run Specials

GRACE MOORE in ONE NIGHT of LOVE

Season's first big smash hit, with Tullio Carminati, Lyle Talbot, Mona Barrie. Story by Dorothy Speare and Charles Beahan. Screen play by S. K. Lauren, James Gow and Edmund North. Directed by Victor Schertzinger. Acclaimed by all critics.

A FEATHER IN HER HAT

Critics from coast to coast have hailed this best-selling novel of I. A. R. Wylie's as one of the most delightful heart-warming stories of the year! It promises to be a knock-out as a picture!

An EDWARD G. ROBINSON Production

Directed by Howard Hawks

A great box-office star! A great box-office director! Their combination will result in one of the ten best pictures of the year! You can look forward to something extraordinary in motion picture triumphs.

PARTY WIRE

Now a best-selling novel—soon a big money picture! It captured the hearts of thousands and the unstinted praise of reviewers everywhere! By Bruce Manning.

A CLAUDETTE COLBERT Production

"It Happened One Night" lifted this brilliant popular star to new heights! Now Columbia presents her in a great production that will give her exceptional talents even greater scope!

MAID OF HONOR

One of America's most popular authors, KATHARINE BRUSH, author of "Red-Headed Woman," now gives you this great story—read by nearly two million readers of Cosmopolitan Magazine and published by popular demand in book form. One of this year's BIG ones.

CARNIVAL

Beautiful, kaleidoscopic, colorful—this dramatic romance is set against ever-fascinating backgrounds. A tense story of tangled lives by Robert Riskin, scenarist of "Lady For A Day' and "It Happened One Night."

THE GIRL FRIEND

A musical extravaganza featuring JACK HALEY and LUPE VELEZ, by America's musical comedy kings. Book, music and lyrics by Herbert Fields, Richard Rodgers, Lorenz Hart—authors and composers of "The Connecticut Yankee" and "Hit the Deck."

COLUMBI

An Edmund LOW

Two swashbuckling he-men in a
to fight—with each other; and fo

LAD

A drama of dangerous romance
destined to head this picture stro

BORIS
THE BLAC

The Man They Love to Hate—
new type of thrill picture big box-

SU

GENE RAYMOND and ANN SOTH
greater laurels to their enormous

THE MILL

A vivid, powerful, unforgetable
From the story by Melville Baker

JACK HOLT in
and 2 othe

A powerful, dramatic vehicle for
EDMUND LOWE in another pro

BREAKF

A breezy, exhilarating honeymoo
villas to Park Avenue boudoirs ar

EIG

The celebrated international stag
at the Globe Theatre and at the H
by Percy G. Mandley.

ONCE A

It will forever capture audiences
ing laughter and tears in a tense,
King.

THAT'S

The play that delighted millions of
try after its sensational run at the
Craven, author of "The First Yea

ter Box-Office Earnings!

A-1 GROUP

HOLT Production

otous story of two pals who loved
each other's sweethearts!

ARE!

s age, with a brilliant cast that is
al box-office returns!

FF in
MYSTERY

of "Frankenstein" who made a
owerful mystery romance.

E

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rom the play by Ralph Murphy.

HE GODS

ge destinies and stranger loves.
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EPTHS BELOW
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star. He will also co-star with

R TWO

ch speeds its way from Riviera
speed limit!

LS

ich ran for one year in London
re in New York. From the play

LEMAN

s of mounting surprises—blend-
ma. From the story by Bradley

TUDE

when it played all over the coun-
n Theatre, New York. By Frank

SPRING 3100

From the Broadway play by Argyll Campbell, produced with great success at the Little Theatre, New York. On the screen, its swift action and tense drama will find wider popular appeal!

MAN PROOF

Love-proof, thrill-proof, kiss-proof! Many men tried to break down the wall of her resistance to love—but failed! Then one man imprisoned her heart forever!

MURDER ISLAND

A thrilling, swiftly-paced adventure of a young aviatrix whose plane, forced down on an uncharted island, is captured by bandits. From the story by Leland Jamieson.

MISTAKEN IDENTITY

The all-engrossing story of a girl who lived another woman's life, endured many heartaches and sought passionately to win the romance which was hers alone.

WHITE LIES

You know her! You've seen her in the tabloids! You've heard her name whispered! Fast, modern, "aero-dynamic" romance with a dangerous tug at your emotions!

LADY OF NEW YORK

Beautiful, smart, sophisticated—she matched wits and crossed hearts in the world's greatest love mart—New York—where the men love to play and pay!

PRIVATE PROPERTY

Pointed at! Whispered about! Captive in a cage of luxury! The world knew her story but none dared tell the truth! A breath-taker that will be talked about wherever played!

UNKNOWN WOMAN

Suspense and surprising situations follow each other with reckless rapidity in this exotic creature's amazing career! The climax strikes a new note of high-pitched drama aimed at every woman's heart!

$25 AN HOUR

From the outstanding Broadway success which played to exceptional business at the Masque Theatre, New York. A gay, saucy, delightful romance by Gladys Unger and Leyla Georgi.

I CONFESS

The fascinating story of a woman who bared her heart to the world! Every page is torn from her very soul and out of it emerges a story that will pierce the heart of every man and woman!

8 PICTURES to be designated

Columbia will produce 8 other feature pictures not identified on these pages. This will permit the company from time to time to select such subjects and materials of a timely nature as may become available.

Tim McCoy Rides Again in

8 OUTDOOR FEATURES

The gallant, romantic, thrilling ace of the saddle in a series of exciting, whirlwind dramas that spell box-office success and make him the undeniable King of the Outdoors.

COLUMBIA'S SHORT ATTRACTIONS

- ONE REEL EACH -

COLOR RHAPSODIES

A riot of startling color that is topped only by the riotous blend of comedy and music. Will add a delightful dash to your program! Produced by Charles Mintz.

The SPICE of LIFE

Over one million weekly readers of the Literary Digest are ready-made fans for this new, delightful and hilarious reel of the world's humor. Produced by Mentone Productions, Inc.

SCRAPPY

More theatres than ever before are booking these lively, hilarious and joyous short feature hits. Gilt-edged proof of their popularity. Produced by Charles Mintz.

KRAZY KAT

More than ten million people enjoy "Krazy Kat" daily in newspapers all over the country. George Herriman's famous cartoon strip whets their appetites for "Krazy's" screen antics! Produced by Charles Mintz.

LIFE'S LAST LAUGHS

Every epitaph a sign for roars! Will delight audiences and prove talk of your show. Received overwhelming fan reception when first shown at Radio City Music Hall! Produced by C. S. Clancy.

WORLD of SPORTS

Up-to-the-minute sport thrills for all screen fans! Daring, breath-taking, keyed to the nth degree of heart-pounding excitement!

LAUGHING with MEDBURY

Medbury laughs at the world and the world laughs with him! There's a laugh in every landscape of this cock-eyed world with this famous commentator! Produced by Walter Futter.

SCREEN SNAPSHOTS

Hollywood through a keyhole! The fan magazine of the screen! Harriet Parsons, roving reporter, sees all and tells all about how the stars act when not acting.

26 STAR STUDDED 2 REEL COMEDIES

HARRY LANGDON — ANDY CLYDE — LEON ERROL — WALTER CATLETT
and the 3 STOOGES

The finest two-reel comedies you've ever played — featuring an aggregation of outstanding comedians! They're not merely an addition to your program — they're a whole show in themselves!

Columbia Marches On Through 1934-1935!

Church Drive Continues to Upset Nation

(Continued from page 6)

office, its argument is bound to be most effective. A study of audiences, however, is anything but reassuring, and it requires no prophet to foretell that any picture which is questioned will be a near sellout when shown."

Simultaneously, Rev. Henry Hoesman, of the Hope Lutheran Church, issued a statement along practically similar lines, although directing his attack more against Will Hays.

Agrees Striking at B.O. Is the Only Way

Cincinnati, July 5.—"Archbishop McNicholas has rightly seen the futility of anything short of a militant organization of those who want reform," declared Rev. Carl H. Olson, pastor of the First Universalist Church here, in a talk to his congregation on "Our Movies and Our Morals."

"The Legion of Decency threatens to strike at the only heart apparent in the motion picture business—the box office.

"The splendid organization of the Roman Catholic Church makes this new movement more effective than any resolution or word of protest which any other group could make. Protestant and Jewish leaders and groups have praised the venture, but they should go farther."

Washington Protestants Join Catholic Movement

Washington, July 5.—Support of the Legion of Decency campaign swings into line from an unsuspected quarter with the Washington diocese of the Protestant Episcopal Church declaring it would join the Catholic movement actively.

Ohio Christian Endeavor Meeting Approves Drive

New Philadelphia, O., July 5.—For the first time in Ohio Christian Endeavor history an appeal made by a Protestant clergyman for support of a Catholic movement was endorsed and embodied in resolutions for cleaner films adopted at the closing session here of the State Christian Endeavor convention.

Resolutions carried out sentiments of Rev. Vere W. Abbey, Christian Endeavor missionary secretary for India, Burma and Ceylon. "Movies too rotten to be shown in Ohio are shipped to India," he said, "where natives pack the theatres to see what Christian America's women look like undressed."

Substitution

Chicago, July 5. — Sally Rand, whose fan dance at the Fair last year, started what became a stage vogue that grew until it fanned both coasts, made a reappearance at her old stamping ground today substituting a bubble for a fan.

Blue lights helped create the illusion Sally was dancing in the bubble, when as a matter of fact, she was nestling behind it. Fair officials regarded her as "essentially covered."

Fan in 1933. Bubble, no fan, in 1934. Local speculation centers around what it will be if the Fair reopens next year.

Presbyterian Confab Endorses Film Drive

Oxford, O., July 5.—Protestantism joined religious sects that have joined Roman Catholics in their campaign for "clean" motion pictures here as the 76th general assembly of the United Presbyterian Church endorsed the move shortly before adjournment.

Approval of the position by the Catholic Church through its "League of Decency" followed closely similar action by the Federal Council of Churches of Christ in America, other denominational meetings last week in Wooster, the east and individual expressions from Jewish leaders.

See NEA Swing to Crusade Against Films

Washington, July 5—The National Education Ass'n on Friday will vote on resolutions now pending before the resolutions committee of the organization, including one holding that motion pictures are one of the most important means of education and proposing that the NEA join with other organizations in demanding a high type of picture and in the movement to clean up the screen.

The resolution condemns pictures which threaten the integrity of the American home and American institutions, glorify lawlessness and contribute to child delinquency. Block booking is held in the resolution to be largely responsible for the "unsavory character" of present film entertainment and is condemned without reserve.

Gets Come-Back Chance

Hollywood, July 5.—Clara Kimball Young, once a big name in pictures, has been signed to a one-picture deal with options by Sol Lesser and will play the role of Chandu's sister in the serial, "The Return of Chandu," for Principal.

Paramount Regional On; Last of Series

With talks by George Schaefer, J. J. Unger and Milt Kusell highlighting the session, the last of Paramount's two-day regionals got under way yesterday at the Waldorf Astoria. Unger presided.

Product and the flexible sales policy also were discussed in a review of the national sales meet which was held recently on the coast.

Today's session will be devoted to individual district meetings with Unger slated to talk to salesmen, bookers, assistant bookers and branch heads from Boston, Portland and New Haven. Kusell will gather his men from Albany, Buffalo, New Jersey, New York and Brooklyn and talk to them. About 65 are in attendance.

Frankwyn Co. Adds 2 More Stage Plays

Two additional legitimate productions have been added to the Frankwyn schedule for the coming season, Harold B. Franklin said yesterday. They are "Lady Jane," with Frances Starr, scheduled for a try-out opening at Hartford on Labor Day, and a musical starring Lucien Boyer, French music hall star, set to open at the Lyceum here, October 15.

Charles B. Cochran, London producer, who is associated with Franklin and Arch Selwyn in the production venture, is due here next month to prepare for the openings.

May Wipe Out Weak Issues on 'Changes

(Continued from page 1)

cities throughout the nation is anticipated here as one of the early acts of the Securities and Exchange Commission, of which Joseph P. Kennedy is chairman.

The anticipated action, however, is not expected to apply particularly to the New York Stock Exchange, where restrictions have been tightened voluntarily in recent months.

Variety Club Chatter

Washington, July 5.—The first of the weekly luncheons of Tent No. 11 was held Sunday in the club headquarters in the Willard Hotel.

Kings for the day were Guy Wonders and William K. Saxton.

Off the main room, which is gaily decorated with paneled borders of troubadours and circus parades, is an English tap room.

The ladies' reception room is white and blue.

Among those attending were: Alan J. Bachrach, Samuel Beck, Carter T. Barron, Rudolph Berger, Louis Bernheimer, Herman A. Blum, Phil Bobys, Louis A. Brown, Harry S. Brown, Nat B. Browne, A. Julian Brylawski, James A. Burns, Walter E. Cersley, J. William Cleveland, George A. Crouch, Robert Etris, William C. Ewing, John E. Firnkoess, William R. Fischer, Lauritz C. Garman, George J. Gill, Nat Glasser, Robert M. Grace, Edward Jacobs, Charles Kranz, Frank LaFalce, A. E. Lichtman, Harry E. Lohmeyer, Sidney B. Lust, Joseph Makover, Hardie Meakin, Charles E. McGowan, Charles H. Olive, James A. Pratt, Orangelo J. Ratto, Daniel J. Reynolds, J. Louis Rome, James W. Root, Frank J. Skully, Robert Smeltzer, Nathan A. Stiefel, Isaac Weinberg, Harold A. Weinberger, Samuel N. Wheeler, William E. S. Wilcox, Frededick J. Thomas, Frank M. Boucher, Don Craig, Philip Ershler, and Andrew R. Kelley.

The following committees have been selected by the board of governors:

Finance—Sam A. Galanty, Joseph P. Morgan, and J. Louis Rome.

Executive—Rudolph Berger, Harry Hunter, Sam Wheeler, Carter T. Barron, Charles Kranz.

Membership—Sam Wheeler, chairman; Harry S. Brown, Herman A. Blum, A. E. Lichtman, Alan J. Bachrach, Frank Durkee, Louis Gaertner.

Publicity—Harry Hunter, chairman; Hardie Meakin, Frank LaFalce, Lou Brown.

Entertainment—Carter T. Barron, chairman; Guy Wonders, Isadore M. Rappaport, Leonard B. Schloss, William K. Saxton, Nathan A. Stiefel, James J. Lake.

Ways and Means—A. Julian Brylawski, chairman; Robert J. Folliard, Hunter Perry, Louis Bernheimer, J. Louis Rome, Edward Jacobs, Sidney B. Lust.

Transportation — Joseph P. Morgan, chairman: Charles E. McGown, Walter E. Cersley, J. William Cleveland, George A. Crouch, Joseph Makover, Charles E. Nolte.

House—Rudolph Berger, chairman; Charles E. Schulman, Harry E. Lohmeyer, Robert Smeltzer, Charles Kranz, Nat Glasser, Edward Heiber.

Sports—Sam A. Galanty, chairman; Harry S. Brown, James A. Pratt, Andrew R. Kelley, Don Craig.

Seeks Accord on Boycott; Delaware Talks Shutdown

(Continued from page 6)

did not contemplate closing and that the boycott has not had any effect on the attendance here.

There has been no boycott ordered in the Catholic diocese of Wilmington such as those issued in the archdiocese of Philadelphia. The Wilmington diocese is in the Baltimore archdiocese and consequently the boycott at Philadelphia does not affect the Catholics in this city and state.

Western Series Sold

Bud 'n' Ben Pictures Corp. has sold its series of 12 three-reel westerns to F. C. Pictures of Buffalo for Upper New York and to Metropolitan Pictures of Seattle for Washington, Oregon and Montana.

(Continued from page 6)

pensation commensurate with the services performed by them.'

"We have also offered to Cardinal Dougherty the use of 'a suitable projection room where pictures may be viewed before they are released in our theatres. This preview would enable you to prepare a "Black and White List" which could serve as further protection for your flock.' "

"The Philadelphia archdiocese is the only territory in the United States where a boycott has been proclaimed against a legally conducted business which affords widespread employment and which has offered every reasonable compromise to protect the sensibilities of those sections of the public that may feel themselves to be in need of such protection," Bernhard's statement concludes.

Six Years Later

Omaha, July 5.—A small town exhibitor in Iowa, who in 1928 received a notation from the local Warner exchange that he had $3.90 credit on the books and urged him to apply it on future rentals, has just replied to the letter. He attached the faded and wrinkled letter to a fresh one, saying he wanted the money in cash since he decided to go out of business.

Read

WILL ROGERS

in

HANDY ANDY

with

PEGGY WOOD
CONCHITA MONTENEGRO
MARY CARLISLE
ROGER IMHOF
ROBERT TAYLOR

Produced by Sol M. Wurtzel

Based on play "Merry Andrew" by Lewis Beach. Screen play by William Conselman and Henry Johnson. Adaptation by Kubec Glasmon.

Directed by David Butler

these

and you'll know what many exhibitors have SEEN for themselves!

"Sure-fire attraction for millions. There is every reason to anticipate 'David Harum' business."

—*Motion Picture Herald*

"Among the most enjoyable of Will Rogers' pictures ...particularly strong on comedy." —*Film Daily*

"Keeps the laughs rolling with gags and situations."

—*Variety Daily*

"Down-to-earth, wholesome, homespun . . . with many laughs. Fast on the heels of 'David Harum'."

— *Motion Picture Daily*

another hit from FOX *This* season!

"Marker" Gets Good $6,500, Minneapolis

Minneapolis, July 5.—"Little Miss Marker" chalked up a fine $6,500 at the State and was shifted to the Century.

"Dr. Monica" was strong at the Minnesota with a take of $8,000. The heat was near a record.

Minneapolis' six theatres usually making total grosses of $26,000 got $27,000, while St. Paul's four, which average $14,000, took $15,000.

Estimated takings:

Minneapolis

Week Ending June 28:

"MANY HAPPY RETURNS" (Para.)
CENTURY—(1,650), 25c-40c, 7 days. **Gross:** $3,500. (Average, $4,000)

"HOLLYWOOD PARTY" (M-G-M)
LYRIC—(1,239), 20c-25c, 7 days. **Gross:** $1,500. (Average, $1,500)

"DR MONICA" (Warners)
MINNESOTA—(4,000), 25c-50c, 7 days. **Gross:** $8,000. (Average, $7,500)

Week Ending June 29:

"LIFE OF VERGIE WINTERS" (Radio)
RKO ORPHEUM—(2,900), 25c-50c, 7 days. **Gross:** $5,500 (Average, $5,500)

"LITTLE MISS MARKER" (Para.)
STATE—(2,300), 25c-40c, 7 days. **Gross:** $6,500. (Average, $5,500)

"CATHERINE, THE GREAT" (U. A.)
WORLD—(400), 25c-75c, 7 days, 5th week. **Gross:** $2,000. (Average, $2,000)

St. Paul:

Week Ending June 29:

"MANHATTAN MELODRAMA" (M-G-M)
PARAMOUNT—(2,300), 25c-40c, 7 days. **Gross:** $5,500. (Average, $5,500)

"HOLLYWOOD PARTY" (M-G-M)
RIVIERA—(1,200), 25c-40c, 4 days. **Gross:** $2,200. (Average for the week, $3,500)

"SUCH WOMEN ARE DANGEROUS" (Fox)
RIVIERA—(1,200), 25c-40c, 3 days. **Gross:** $1,500. (Average for the week, $3,500)

"CIRCUS CLOWN" (F. N.)
RKO ORPHEUM—(2,600), 20c-40c, 4 days. **Gross:** $2,500. (Average for the week, $4,000)

"MURDER ON THE BLACKBOARD" (Radio)
RKO ORPHEUM—(2,600), 20c-40c, 3 days. **Gross:** $2,000. (Average for week, $4,000)

"UPPER WORLD" (Warners)
TOWER—(1,000), 15c-25c, 4 days. **Gross:** $800. (Average, $800)

"MERRY WIVES OF RENO" (Warners)
TOWER—(1,000), 15c-25c, 3 days. **Gross:** $700. (Average, $700)

"Affairs," Fight Indianapolis Wow

Indianapolis, July 5.—"Affairs of a Gentleman" with the Baer-Carnera fight cracked a straight film policy record at the Lyric last week with $9,000.

"Dr. Monica" had a par $3,500 at the Circle and "Operator 13" was also even up with $4,000 at the Palace.

Total first run business was $18,500. Average is $10,000 without the Lyric.

Estimated takings for the week ending June 30:

"BABY, TAKE A BOW" (Fox)
APOLLO—(1,100), 20c-40c, 2nd week, 7 days. **Gross:** $2,000. (Average, $2,500)

"DR. MONICA" (Warners)
CIRCLE—(2,800), 20c-40c, 7 days. **Gross:** $3,500. (Average, $3,500)

"AFFAIRS OF A GENTLEMAN" (Univ.)
BAER-CARNERA FIGHT (Oliver)
LYRIC—(2,000), 20c-40c, 8 days. **Gross:** $9,000.

"OPERATOR 13" (M-G-M)
PALACE—(3,000), 25c-40c, 7 days. **Gross:** $4,000. (Average, $4,000)

Washington's Lead "Party" With Penner

Washington, July 5.—Hot weather cut into the week's grosses as the total slumped to $61,600, or 13.5 per cent under the average of $71,200.

Only house to top average was Loew's Fox, whose week was bolstered by five extra shows to a take of $22,900. Joe Penner and his own revue featured the stage show, which brought on the opening day 5,200 children, 800 over the number attracted by Amos 'n' Andy or Eddie Cantor. "Hollywood Party" was the feature.

The Earle held its usual second place with $14,700 for "Dr. Monica" and its first tab show, "Words and Music," featuring Lester Cole and his 12 Singing Soldiers of Fortune and Herman Hyde.

"Little Man, What Now?" slumped on a return engagement. Palace, RKO-Keith's, and Columbia were all off.

Estimated takings, exclusive of tax, for the week ending June 28:

"DR. MONICA" (Warners)
EARLE—(2,218), 25c-77c, 7 days. Stage show. **Gross:** $14,700. (Average, $17,600)

"SUCH WOMEN ARE DANGEROUS" (M-G-M)
LOEW'S COLUMBIA—(1,265), 25c-40c, 7 days. **Gross:** $2,600. (Average, $3,100)

"HOLLYWOOD PARTY" (M-G-M)
LOEW'S FOX—(3,434), 25c-66c, 7 days. Stage show. **Gross:** $22,900. (Average, $20,500)

"CHANGE OF HEART" (Fox)
LOEW'S PALACE—(2,390), 35c-77c, 7 days. **Gross:** $10,700.

"LITTLE MAN, WHAT NOW?" (Univ.)
METROPOLITAN—(1,591), 25c-40c, 7 days (return engagement). **Gross:** $3,500. (Average, $4,100)

"THE LIFE OF VERGIE WINTERS" (Radio)
RKO-KEITH'S—(1,830), 25c-55c, 7 days. **Gross:** $7,200. (Average, $11,400)

Sue to Hold House

St. Louis, July 5.—A suit to prevent wrecking of the Gayety has been filed in the Circuit Court by six plaintiffs, who allege the Amusement Syndicate Co., owners of the building, are indebted to them for improvements and construction on the building amounting to $4,043. Plaintiffs are the C. H. Schroeder Building and Construction Co., John W. Reinhardt Stair Co., Robert N. Adams, Hill-Behan Lumber Co. and Moore Plumbing Co. Edward D. Meyer Wrecking and Supply Co. is a defendant in the suit.

Operators Organize

Denver, July 5.—Operators in most of non-union houses here have organized and incorporated as the Sound Projectors' Union of Colorado. Incorporators are Charles Deckers, J. A. Swanson, R. O. McComb, Harold Mohlman and Harry Burcher.

Change Cincy Opening

Cincinnati, July 5.—Openings at the RKO Palace have been changed from Friday to Wednesday. Keith's hereafter will open on Thursday instead of Friday.

"Works" Draws Work

Denver, July 5. — "Shoot the Works" got an extra two days at the Denham. A gross of $7,000 the first seven was the reason.

Breath a la Mode

Hollywood, July 5. — Dr. Frank Nolan has at last fixed things so that players won't have to smoke themselves to death in order to create a frosted breath for cinematic snow scenes.

The doctor says he has invented a gadget that fits inside the upper lip and holds a quantity of dry ice. The ordinary breath contacting the ice creates the frost breath. The system was recently demonstrated in the "Merry Widow."

"Vergie" Gets Kansas City's High, $7,000

Kansas City, July 5.—Grosses generally were off as Kansas City sweltered. Normal was reached by "The Life of Virgie Winters" with $7,000 at the Mainstreet and "Affairs of a Gentleman" with a stage show at the Tower, which pulled $5,000. "The Show Off" gave the Midland $8,000, below par by $2,000.

Total first run business at the five first runs was $28,200. Average is $31,500.

Estimated takings:

Week Ending June 28:

"THE LIFE OF VERGIE WINTERS" (Radio)
MAINSTREET—(3,100), 25c, 7 days, plus Saturday late show. **Gross:** $7,000. (Average, straight films, $7,000)

"THE SHOW OFF" (M-G-M)
MIDLAND—(4,000), 25c, 7 days, plus Saturday midnight show. **Gross:** $8,000. (Average, $10,000)

"THE KEY" (Warners)
"HERE COMES THE GROOM" (Para.)
NEWMAN—(1,800), 25c, 7 days, plus Saturday late show. **Gross:** $4,900. (Average, $6,000)

"AFFAIRS OF A GENTLEMAN" (Univ.)
TOWER—(2,200), 25c, 7 days, plus Saturday midnight show. Stage: "Cartoon Capers" revue, with Tom & Betty Wonder, Paige Keaton, 4 Racketeers, Lucille Jackson, 3 Catchalots. **Gross:** $5,000. (Average, $5,000)

Week Ending June 29:

"NOW I'LL TELL" (Fox)
BAER-CARNERA FIGHT FILMS (6 days)
UPTOWN—(2,000), 25c, 7 days. **Gross:** $3,300. (Average, $3,500)

Segall Plans Theatre

Philadelphia, July 5.—Charles Segall, vice-president and manager of the Principal Theatres, has acquired a site at Broad St. and Olney Ave. in the northern section of Philadelphia and will build a theatre of the de luxe variety with a capacity of 1,500. He hopes to have the house completed by Thanksgiving Day. The project is Segall's own, and not part of his Principal Theatres affiliation.

In Deal with Adams

Budd Rogers, general sales manager of Liberty, has closed with Jack K. Adams, president of Adams Film Exchanges, Inc., to handle his product in Texas, Oklahoma and Arkansas.

Select Plans "Old Lace"

"Lavender and Old Lace" by Myrtle Reed will be made by Select at Biograph.

"Marker" and "Returns" Hit Montreal Top

Montreal, July 5.—Main stems are not doing too badly, what with improved general conditions and a flock of tourists. The Capitol topped the town last week with $9,000 on "Little Miss Marker" and "Many Happy Returns." The Palace registered the same total, but below average in this case, on "The Thin Man" and "Beggars in Ermine." The Princess broke even at $6,000 with "Stingaree" and "Aggie Appleby." The weather was mostly fair and sticky.

Total first run business was $37,000. Average is $43,000.

Estimated takings for the week ending June 30:

"LITTLE MISS MARKER" (Para.)
"MANY HAPPY RETURNS" (Para.)
CAPITOL—(2,547), 25c-35c-40c-50c-60c, 7 days. **Gross:** $9,000. (Average, $9,000.)

"HIS PRIVATE SECRETARY" (Showmen's)
"FOUND ALIVE" (Ideal)
IMPERIAL—(1,914), 25c-40c-50c, 7 days. Vaudeville: Berkes & Tyrrell; The Madcaps; Frank Reckless & Co.; Dare & Yates; Armand & DeVore; Marian Dawn; Alex. Rothov; Ralph Brown; Bob Brandies; Lee Shelley. **Gross:** $6,000. (Average, $6,500.)

"THE BLACK CAT" (Univ.)
"UNCERTAIN LADY" (Univ.)
LOEW'S—(3,115), 25c-35c-50c-65c, 7 days. **Gross:** $7,000. (Average, $10,500.)

"THE THIN MAN" (M-G-M)
"BEGGARS IN ERMINE" (Monogram)
PALACE—(2,600), 25c-35c-50c-60c-75c, 7 days. **Gross:** $9,000. (Average, $11,000.)

"STINGAREE" (Radio)
"AGGIE APPLEBY" (Radio)
PRINCESS—(2,272), 25c-35c-50c-65c, 7 days. **Gross:** $6,000. (Average, $6,000.)

Acquire 3 in Pueblo

Pueblo, July 5.—Pueblo Theatres, Inc., organized by T. B. Noble, Jr., Frank L. Dent and George A. Crowder, have taken over three theatres here. The Rialto was taken over from J. J. Goodstein, and the Chief and Pueblo from the Westland Theatres, Inc., of which the three men are also officers.

Lifton Joins Liberty

Louis S. Lifton has been appointed director of advertising and publicity for Liberty. He was until recently associated with Educational-World Wide as assistant to Gordon S. White, advertising head.

Weiss Serial on Custer

"Custer's Last Stand" will be produced as a serial by Louis Weiss for release via Exploitation Pictures, Inc. Production will be centered in Hollywood with Weiss on deck to personally supervise.

Pre-Release "Drummond"

Philadelphia, July 5.—Instead of waiting for the August reopening of the Aldine, its local outlet, U. A. has arranged with Stanley-Warner to release "Bulldog Drummond Strikes Back" at the Stanley July 14.

Up for Attorney General

Denver, July 5.—David W. Oyler, operator who studied law in his spare time, is a candidate for the Democratic nomination for attorney general of Colorado.

K.C. Theatres Get Help from Papers

Kansas City, July 5.—As a result of intense competition between the two local dailies for theatre advertising, they have extended their services to the theatres. *The Star* has added tabloid reviews in the Friday morning edition, to coincide with most first run openings, in addition to the usual reviews on Sunday.

The *Journal-Post* daily amusement column is chiefly devoted to publicity on the current and future attractions. This paper now includes the Fox Uptown and the Tower, non-advertising first runs, in its Sunday reviews as a move to obtain their business.

Neighborhood theatres are getting more cooperation from the *Journal-Post* than ever before. This was promised when 21 neighborhoods recently signed to use daily space in the amusement directory at $3.50 a week. The advertising neighborhoods run a *Journal-Post* trailer, for which they receive the reported sum of $1 weekly, which is turned over to the I. T. O. as dues.

Downtown first runs are irked that the *Journal-Post* has seen fit to tie up with the neighborhoods in giving free tickets in an advertisers' promotion contest plugged through *Illustrated News,* the paper's weekly advertising supplement. Two neighborhoods are chosen weekly to give away 100 passes, and in return receive free publicity. Before the neighborhoods starting using the *Journal-Post,* the first runs had a monopoly on this cooperative tieup.

New House for Lawrence

Lawrence, Kan., July 5. — This town next fall will boast the oldest and newest theatres west of the Mississippi. The newly formed Commonwealth Theatre Corp. has begun construction of a 920-seat house estimated to cost $35,000 and scheduled for opening in September. The new company is affiliated with Commonwealth Theatres of Kansas City, which owns the Patee in Lawrence, which is credited with being the first picture theatre west of the Mississippi.

Stanley C. Schwahn, manager of the Patee, is president of Commonwealth Lawrence. C. A. Schultz is vice-president. Approximately 50 business men and citizens of Lawrence are stockholders.

To Erect Manila House

Washington, July 5.—Eastern Theatrical Co., Inc., of Manila, P. I., will erect a $500,000 theatre in Manila, according to a report submitted to the U. S. Department of Commerce by Acting Trade Commissioner Carl H. Boehringer.

The project is financed entirely by Filipinos and the company is now operating the Metropolitan and Fox Theatres in Manila.

The house will seat 1,100 and will be air conditioned.

McConnells Have Twins

Birmingham, July 5.—Thomas Y. McConnell, Strand manager, is receiving congratulation. Mrs. McConnell gave birth to twin girls. The trio is doing nicely.

Taps New Revenue Source

Columbus, O., July 5.—Two circuits, established a year ago in the Eastern Ohio and West Virginia coal mining region by Steubenville, Ohio, interests, and operated entirely with portable equipment, have materially increased receipts of the Paramount exchange, according to M. R. ("Duke") Clark, local manager.

Each circuit plays seven nights a week in mining camps having a small theatre in which pictures have not been shown since the silent era. The projector is set up in the regular booth with a cable extension carrying back to the sound horn on the stage. Pictures are heavily advertised. As many as 100 one-sheets and other accessories have been used in a single week.

Clark points out that, prior to inauguration of the 14-town circuit, no revenue in rentals was derived from this particular region for six years, whereas returns have been steady each week since the project was launched. Only Paramount pictures are shown.

Go First Run Doubles

Youngstown, O., July 5.—Two downtown theatres here have gone first run dual policy for the summer. The Park some time ago switched to dual first runs, with two changes weekly, with atop admission of 20 cents.

In competition more recently, the State, an independent house, introduced first run duals, with two changes weekly and admissions scaled from a dime to 25 cents.

New Tax Up in N. O.

New Orleans, July 5. — By the terms of an ordinance introduced and practically adopted by the Commission Council, theatres will pay a tax on marqueess of $10 a year; signs, muslin, $1; easel signs, $5; electric signs, $5; any theatre sign, $5; streamers (used occasionally), $5; weighing machines, $1.50. In the neighborhood districts the rate is cut in half.

Fox Signs Two Players

Hollywood, July 5.—Fox has given a long term contract to Frances Carlon, former New York stage actress. Her first role will be the lead in "The State Versus Elinor Norton."

The studio also has given a longtermer to James Qualen, veteran character actor. His last for Fox was "Servants' Entrance."

Police Checking Blast

Omaha, July 5.—Police are investigating bombing of a cleaning shop located in the Orpheum theatre building early Monday morning. So terrific was the blast, most of the lights in the vertical sign light and in the house marquee were shattered.

Ohio Managers Shifted

Columbus, July 5.—Recent managerial changes include transfer of Charles Winthrop from the RKO Paramount, Cincinnati suburban, to the Majestic here. Erwin Bock, manager of the RKO Capitol, Cincinnati, which went dark recently, succeeds Winthrop. Harvey Cocks, manager of the Harris, Findlay, has been transferred to the Strand, Akron, replacing Dick Wright, recently elevated to district manager for Warners in northeastern Ohio. Ben Wallerstein, manager of Warners' Palace, Lorain, for several years, has been transferred to San Pedro, Cal., to take charge of one of the Warner spots.

K. C. Picnic July 16

Kansas City, July 5.—The local industry's annual picnic and golf tournament will be held July 16 at Ivanhoe Country Club. The M. P. Relief Fund, which has directed these outings in the past, will this year be joined by the Variety Club. It is planned that eventually the Variety Club will take over all such local activities.

Wessling Joins Gaumont

Portland, July 5.—Walter Wessling, one of the oldest exchange managers of the Pacific Northwest, and connected with the Northwest Film Exchange for some time past, has been named Oregon distributor for Gaumont British product.

Korda Plans "Nijinsky"

London, July 5.—Alexander Korda plans a stage play based on the life of Nijinsky, famous Russian dancer, with Charles Laughton in the lead. Later, he is figuring on a talker, perhaps with Paul Muni.

Hollywood Personals

Hollywood, July 5.—Frances Drake is back from Honolulu. . . . Jack Oakie's mother entertained Jeanette MacDonald's mother and Bob Ritchie's mother at dinner the other night. . . . Gordon and Revel back from San Francisco where they appeared over Walter Winchell's program. . . . Lee Tracy is looking at yachts. . . . Gordon Westcott has taken up polo. . . . Columbia has postponed "The Girl Friend" until Lupe Velez returns from her personal appearance tour in the east. . . . Frank Borzage has been elected secretary and treasurer of the Uplifters' Club. . . . Cecilia Parker has been signed to play Garbo's sister in "The Painted Veil." . . . Virginia Karns, who has made such a hit here at the Biltmore Bowl, gets the role of "Widow Piper" in Roach's "Babes in Toyland." . . .

Bank Deposits Show Ohio Is Picking Up

Columbus, O., July 5.—Indication of financial improvement in Ohio is reflected in the report just released by David M. Auch, secretary of the Ohio Bankers' Ass'n., which shows an increase of $81,550,000 in deposits of state and national banks, exclusive of conservator or restricted institutions, between the December and March calls. Resources increased $97,905,000 during the same period.

Improvement still is continuing, according to information, although exhibitors throughout the state compalin of poor business, some of the key situations reporting an all-time low for June.

"U" Puts Its Stars In Radio Sequences

Hollywood, July 5.—Universal has decided to throw in a generous portion of its star roster in the radio skit sequence of "Gift of Gab."

Lined up for the one sequence are Lowell Sherman, Chester Morris, Binnie Barnes, Boris Karloff, Bela Lugosi, Paul Lukas and Roger Pryor. These names are in addition to Edmund Lowe, Gloria Stuart, Alice White, Ruth Etting and two sets of harmony teams, who appear in the top spots.

The film went into production Saturday with Karl Freund directing.

Retail Sales Gain In Salt Lake Area

Salt Lake City, July 5.—Retail sales here are up 18 per cent over May of last year and the gain for the first five months over the same period for 1933 is 20 per cent, according to reports from the 12th Federal Reserve District Bank.

For Utah and Idaho the May increase was 20.2 per cent and for the first five-month period it was 23.9 per cent.

Back to Duals Again

Omaha, July 5.—The World is back on dual policy with the conclusion of four weeks of vaudeville by the Bert Smith Varieties company. The company had been booked for two weeks and the contract was extended two weeks longer when business seemed to warrant it. A box-office decline during the second two weeks terminated the engagement.

Carstairs Reaches Coast

Hollywood, July 5. — John Patty Carstairs, English writer signed by David O. Selznick on his recent trip to London, is here to start a long-term contract. He has received no assignment yet.

Penn-State Dissolved

Dover, Del., July 5.—Penn-State Amusement Co., a Delaware corporation, has been dissolved by the State Department. A certificate of voluntary dissolution was issued following the consent of all the stockholders.

Columbia 'Change Grows

Omaha, July 5.—The Columbia exchange has moved one door west on Davenport St. into new and modern quarters. The new quarters have 1,100 more square feet of space.

Arthur Will Oversee St. Louis Spots

(*Continued from page* 1)

the receivership, which is expected some time next week.

Arthur and Marco Wolf returned yesterday from St. Louis where they attended the court hearing and approval of the sale.

According to Arthur's plans, the Ambassador and St. Louis will show F. & M. stage shows with pictures and the Fox and Missouri will be put on a single feature policy. Duals at the Grand Central will be continued unless St. Louis neighborhood and surburban theatres agree to eliminate twin bills.

F. & M. plan to increase prices, provided they get cooperation of other St. Louis operators, to 35 cent matinees and 55 cent evenings. The scale would be general downtown, they hope.

Arthur has purchased a Douglas plane to commute between New York, Salt Lake City, St. Louis and Los Angeles. He expects to spend most of his future time in the field developing the F. & M. circuit. He leaves next week for St. Louis to work out the operating setup for the five theatres. Marco returns to the coast at the same time, stopping at St. Louis.

St. Louis, July 5.—Federal Judge Davis has approved sale of the Ambassador, Missouri and Grand Central to the bondholders' protective committee for $2,000,000. He also approved the reorganization plan of the committee and instructed counsel to present a formal decree for his approval tomorrow.

Objections by counsel for Warners and others were over-ruled by Special Master Nelson Cunliff on June 7, the dissentors contending the sale price was inadequate and the reorganization plan unfair.

According to court procedure, the lesees are not supposed to take possession until 60 days after approval of the reorganization, but it is understood the bondholders are anxious to have F. & M. step in immediately and the court will approve.

See New Delay in Fox Met. Dickers

(*Continued from page* 1)

a sub-committee of the Fox Met bondholders' committee.

"Considerable progress" in the negotiations was reported by representatives of both sides last night, but an agreement prior to the court hearing today was not held likely. One spokesman said that nothing final was expected before Monday or Tuesday and predicted accord would be reached at that time with Loew's and Warners agreeing to a purchase of the committee's deposited bonds, about 85 per cent of a $12,500,000 issue, for $4,000,000. Loew's and Warners would then proceed with their own reorganization of the circuit, taking their own chances on cancellation of leases by landlords privileged to do so under their pacts with the receiver for the circuit.

Reports that the Loew-Warner bid had been boosted to $4,500,000 and accepted by the sub-committee for the bondholders yesterday were emphatically denied on both sides.

That the I. T. O. A. would oppose "as a major issue" the acquisition of the circuit by Loew's and Warners was disclosed yesterday by an officer of the organization, who pointed out that the playing of M-G-M product in 42 Randforce houses of the circuit would set back numerous independent houses to third and fourth run on that product. The Randforce-operated houses are not playing M-G-M product now, it was said, but are expected to if Loew becomes joint owner of Fox Met with Warners.

MOTION PICTURE DAILY'S HOLLYWOOD PREVIEW

"Ladies Should Listen"

(Paramount)

Hollywood, July 5.—This is a deluge of comical incidents, a delightful hodge-podge that should please audiences.

The story deals with Cary Grant as a super Beau Brummel of Paris involved with a series of women, crooks, rich friends and a doorman, Charlie Ray, all somehow vaguely enmeshed in an option on a nitrate mine in Chile. Frances Drake, as a telephone operator in love with Grant, furnishes the motive for the frantic mixups by messing up Grant's affairs via her switchboard. It all doesn't make much sense and is free farce, but it should provoke plenty of laughs.

Every member of the cast contributes good trouping, including Grant, Nydia Westman and Rosita Moreno, as part of Cary's female following, also Miss Drake, Edward Everett Horton, as Miss Westman's would-be suitor, and George Barbier as an enraged father. Ray, as the doorman, received the biggest hand from an audience who had evidently not forgotten. Frank Tuttle's direction is keyed for humor.

High spots are Grant's use of thunder and lightning gadgets to detain and dispose of the ladies according to his whims. The picture should suit any audience as a program issue. Running time, 60 minutes.

Looking 'Em Over

"Cash"

(Mundus Distributing Corp.)

An entertaining comedy, directed by Zoltan Korda, with Robert Donat, Wendy Barrie and Edmund Gwenn in the principal roles. It is a typical English picture and numerous situations are laugh-provoking.

With the depression, Gwenn and his daughter, Miss Barrie, find themselves evading collectors. Gwenn, who has promoted several past failures, has an idea to develop a super-swimming pool. On the evening when he is to get together with financial friends on the project, he does a lot of maneuvering to get food and keep the lights from being turned off.

Donat, an electrician's assistant, comes to the rescue. In his tool case he finds $100,000 cash and becomes a partner to the proposed deal. The three financial men fall for the idea when they see the cash and, while Gwenn is knee deep in negotiations, Donat and Miss Barrie fall in love.

The butler, by mistake, picks up a newspaper, which unknown to him contains the $100,000, and puts it in the fireplace. The money is burned to cinders. Fortunately, after the deal is closed, the loss of the money is discovered. Another break comes when it is learned the money was counterfeit.

This is the first of 26 releases planned by Mundus next season. Running time, 62 minutes.

Artco Stays at Roxy

Howard S. Cullman, trustee for the Roxy, has renewed the contract of Artco Corp. for another six months. Harry C. Arthur is president of the company.

With "Baby, Take a Bow" chalking a gross of $29,000 the first week, Cullman plans to hold the Fox film for a third week.

New product deals are under way with Fox, Universal, Columbia, British Gaumont and Warners.

Golden to Make Talk

Edward Golden, Monogram sales manager, left for Atlanta last night to talk before the convention of the GFTA theatre owners in that city tomorrow. He will talk on "Independence."

Los Angeles Slides; Shy Of Big Films

Los Angeles, July 5.—Lacking in pictures with a real draw and despite fair weather, local grosses dipped about $10,000 under average for the first-run battery for the week which ended Wednesday night.

The Paramount continued to lead with its customary lavish stage attraction, this time "Cotton Club Revue," plus Lew Hites and his orchestra and Mae Digges. "Kiss and Make Up" was the film.

Aside from the Pantages which ended at about $3,500 against a $3,200 average with "Hollywood Party" and "Sisters Under the Skin," receipts elsewhere were about 25 per cent. off. Total business was $61,247. Average total, $71,850.

Estimated takings for the week ending July 4:

"THE VIRGIN MAN" (French)
FILMARTE—(900), 40c-50c, 7 days. **Gross:** $2,200. (Average, $2,650.)

"BABY TAKE A BOW" (Fox)
LOEW'S STATE—(2,413), 30c-55c, 7 days. **Gross:** $11,500. (Average, $14,000.)

"KISS AND MAKE-UP" (Para.)
PARAMOUNT—(3,595), 30c-55c, 7 days. On the stage: Fanchon & Marco "Cotton Club Revue," Lew Hite's orchestra and Digges. **Gross:** $19,847. (Average, $18,000.)

"COCKEYED CAVALIERS" (Radio)
RKO—(2,700), 25c-40c, 7 days. **Gross:** $4,200. (Average, $8,000.)

"RETURN OF THE TERROR" (F. N.)
WARNER BROS. (HOLLYWOOD)—(3,000), 25c-55c, 7 days. **Gross:** $11,000. (Average, $14,000.)

"RETURN OF THE TERROR" (F. N.)
WARNER BROS. (DOWNTOWN)—(3,400), 25c-55c, 7 days. **Gross:** $9,000. (Average, $12,000.)

"HOLLYWOOD PARTY" (M-G-M)
"SISTERS UNDER THE SKIN" (Col.)
PANTAGES—(3,000)—25c-40c, 7 days. **Gross:** $3,500. (Average, $3,200.)

Mulvey, Fish on Coast

Hollywood, July 5.—James A. Mulvey and Ben Fish of Samuel Goldwyn's eastern office, are here for a series of conferences.

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VOL. 36. NO. 5 NEW YORK, SATURDAY, JULY 7, 1934 TEN CENTS

Cleveland to Go Off Dual Bills Sunday

Agreement Affects All But New Operators

Cleveland, July 6. — On Sunday every theatre belonging to the Cleveland M. P. Exhibitors' Ass'n., comprising 90 per cent of the houses of Greater Cleveland, will drop double features by unanimous agreement.

The agreement, signed by all members, commits them to a single feature policy for the remainder of the 1933-34 season and for the entire 1934-35 season. It is said by a leading local law firm to be binding.

The *Catholic Universe,* loud in its demand for clean pictures, accepted this announcement with enthusiasm and took credit for the policy, claiming it

(Continued on page 3)

Cleveland Flooded With Zone Plaints

Cleveland, July 6.—A flood of complaints charging that the new clearance and zoning schedules being set up by the local code board are opposed to the schedules arrived at as a result of settlement of a law suit brought against first runs here two years ago is being forwarded to Campi

(Continued on page 3)

Famous Canadian Job Goes to Hazza

Toronto, July 6.—William Hazza of Calgary has been appointed western division manager of Famous Players as successor to Harry Dahn of Winnipeg. Hazza will establish headquarters at Winnipeg. Dahn will return to the east.

Harold Bishop, formerly manager of the Capitol, Calgary, becomes assistant to Hazza at Winnipeg.

Buys a Yacht

Toronto, July 6.—N. L. Nathanson, president of Famous Players, has purchased a steam yacht, the *Thalassa,* from the estate of C. O. Stillman, former president of Imperial Oil, Ltd., subsidiary of Standard Oil. The *Thalassa* is of 138 tons registry and carries a crew of six.

Philadelphia Exhibitors to Meet Monday on Church Ban

Philadelphia, July 6.—Confusion entered the church boycott situation today with word from both the M. P. T. O. and the Independent Exhibitors Protective Ass'n, rival bodies, that each group had called its own meeting Monday to discuss the situation. The former will meet at the Adelphi and the latter at the Broadwood. What Philadelphia exhibitors apparently have to determine now is which organization powwow they will attend.

In the meantime, the *Catholic Standard and Times,* official church publication in this diocese, today was openly dubious over the announced intention of Warners and the M. P. T. O. to close their theatres unless the ban is lifted.

ITOA to Have Only Darrow's Moral Support

While the I. T. O. A. and other independent factions have the "moral support and sympathy" of Clarence Darrow, former head of the National Recovery Review Board, their fight against the code will have to be carried on without his active or official assistance, the Chicago criminal attorney said yesterday.

In clarifying his position in the face of definite statements that he would give his services without remuneration

(Continued on page 3)

No Code Hearings, States Rosenblatt

Washington, July 6.—No public hearings on amendments to the film code are contemplated, it was declared today by Division Administrator Sol A. Rosenblatt in commenting upon reports from New York that a hearing had been tentatively set for the last of this month.

It was explained by the division

(Continued on page 3)

KMTA to Act On Guaranty, Percentages

Kansas City, July 6.—Action against guaranty and percentage demands of distributors will be sought by the Kansas-Missouri Theatre Ass'n. when it meets in convention here July 17. A. F. Baker, president, has issued a call for the convention, which will be held in the Variety Club quarters.

The association's board of directors is on record against existing percentages, recently agreeing that "the

(Continued on page 2)

Columbia Men Off For Chicago Meet

Columbia home office executives, headed by Jack Cohn entrain for Chicago on the 20th Century this afternoon in a special car. The three-day session of the western offices of the company will open Monday morning at the Medinah Club.

Included among those making the trip are: Jack Cohn, Abe Schneider,

(Continued on page 3)

Capri with Your Soup

Philadelphia, July 6.—A new angle in night club and restaurant operation is to be put into effect at the Arcadia Restaurant by Arthur H. Padula, who has just leased the place. He plans an "International Restaurant" and one of the features of the entertainment will be newsreels and travel subjects which will bear out the international angle.

Padula, a University of Pennsylvania graduate, is well-known for his innovations in restaurant and cabaret service. At the present time, he operates the Anchorage in Fairmont Park which he has equipped with "Flourescence," his own color lighting device which has since been used by many presentation units.

Loew-Warner To Make New Fox Met Bid

Revised Terms Will Be Submitted Tuesday

A new Loew-Warner bid of $4,000,000 for the Fox Metropolitan bonds outstanding, rather than for the leaseholds and fee properties of the circuit, will be ready for submission to the bondholders' committee next Tuesday, it was disclosed at a hearing yesterday before Federal Judge Julian W. Mack.

The hearing was postponed to Thursday, July 12, to permit time for the Loew-Warner bid to be drafted and the committee to consider it.

Attorneys for the bondholders' committee and for the Loew-Warner interests expressed the hope that they could "get together" on both price and terms of the sale in the interim.

"Have the bidders changed their price or their terms?" Judge Mack

(Continued on page 2)

NEA in Resolution Hits Unclean Films

Washington, July 6.—The National Education Ass'n's annual meeting came to an end here today with the passage of a resolution condemning indecent films.

Pointing out that "the motion picture is one of the most important means of education today," the resolution proclaimed the adherence of the

(Continued on page 4)

No Circuit Closing Up in Wilmington

Wilmington, Del., July 6.—Although Catholics of the Wilmington diocese are interested in the protest against alleged indecent pictures, local circuit theatre managers said today

(Continued on page 4)

Paper Value Less

Paper valuation of all amusement issues listed on the New York Stock Exchange was $151,462,110 on July 1 as compared with $165,014,143 on June 1, according to official exchange records.

This is a shrinkage of $13,552,033.

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Action on Guaranty, Percentages Sought

(*Continued from page* 1)

present arrangement of percentage sales is of great detriment to the exhibitor," and has scheduled this topic for a going over. Exhibitors answering an association questionnaire have condemned existing contract terms as well as score charges.

Competitive policies, admissions, duals and price reducing practices and film rentals are among other subjects for discussion. Baker, who is a member of the local clearance and zoning board, promises a round-table on code operations and regulations, and their effect on the exhibitor to date.

The convention will formulate a program designed to combat adverse legislation, which is looming for Kansas in the form of a proposed sales tax. The current religious drive for clean films will also be brought up.

Officers for the ensuing year will be elected. Baker, who was chosen president last year when the organization was formed, says he is not a candidate for reelection and favors an exhibitor from out in the territory to succeed him. Baker is from Kansas City, Kan.

Date of the meeting was set for July 17 to permit visiting exhibitors to attend the annual industry picnic at the Ivanhoe Country Club on July 16.

Otterson in Europe

LONDON, July 6.—John E. Otterson, president of Erpi, arrived today from New York on the *Leviathan*.

Loew-Warner To Make New Fox Met Bid

(*Continued from page* 1)

asked Morton G. Bogue, counsel for the bondholders' committee.

"They haven't changed the price," Bogue replied, "but their new bid will eliminate all the provisions which have been bothering us."

It was learned later that the major change in the terms of the bid will be the Loew-Warner agreement to purchase the committee's bonds and then proceed with their own reorganization of the circuit, rather than insisting that the circuit be taken over by the bondholders and the actual leaseholds and fee properties then acquired from the bondholders by Loew's and Warners for $4,000,000. The latter proposal was the substance of the first Loew-Warner bid.

End of Leases Possible

The new bid, it was said, will also dispense with the Loew-Warner demand for a breakdown of operating costs and grosses of individual houses of the circuit, and will make provision for possible cancellation of leases by landlords who retained their right to do so in the event of a sale of the circuit to outsiders.

Attorneys for Skouras and Randforce, the present operators of the circuit, again opposed the new delay in the settlement of the circuit's future, citing the urgency of labor contracts and film buys. They stated that the present operators were unable to make film deals now because of the uncertainty which exists and declared that unless new season deals were closed soon Fox Met might be "left out entirely" next year in the event the Loew-Warner deal fell through.

"There may be a lot of truth in what you say," Judge Mack commented, "but I am not justified in proceeding against the judgment of the bondholders' committee, which is asking for the postponement."

"It appears that my clients are being sold down the river," remarked the Skouras attorney.

Both George Skouras and Sam Rinzler were spectators at yesterday's hearing.

It was disclosed that the Mosholu, Tuxedo, Ogden and U. S. theatres will not be included in a final deal for the circuit, the landlord being prepared to exercise his right to withdraw.

Denver Orpheum to Be Sold at Auction

DENVER, July 6.—The Orpheum will be sold to the highest bidder, providing the bid is more than $400,000, by Aug. 20. The district court has given the U. S. National Bank a judgment against the theatre for $554,445 because of a mortgage for $500,000 due in 1936, on which the interest was defaulted last year.

The theatre has been in receivership since April 1, 1933, and has been leased to the Welton Theatre Corp., controlled by Harry Huffman.

RKO is expected to be a bidder, trying to regain control of the house. Some theatre men here look for Paramount to enter a bid. Publix has been out of Denver a year.

Baby to Mrs. Neumann

HOLLYWOOD, July 6.—Mrs. Kurt Neumann, wife of the Universal director, celebrated her own birthday by giving birth to a 7½-pound baby boy at the Cedars of Lebanon Hospital. Both mother and child are reported doing well.

On Monday, Neumann begins the filming of "Wake Up and Dream," the B. F. Zeidman production with Russ Columbo, June Knight and Roger Pryor heading the cast.

Move to Recall Sherman

Certain groups in Local 306 have started a movement for the recall of Harry Sherman, president, and his fellow officers. Petitions for a recall election were presented at a Brooklyn meeting last Wednesday and they will be acted upon next Wednesday.

Heat Closes Offices

Due to the continued heat wave, the Universal home office closed at 3:30 yesterday. The Hays office and the Fox and Warner home offices closed at 4.

Eastman Pfd. Up 2 on Big Board

	High	Low	Close	Net Change	Sales
Consolidated Film Industries	3	3	3	— ⅛	300
Eastman Kodak	99	98½	98½	+ ⅛	300
Eastman Kodak, pfd	145	145	145	+2	10
Fox Film "A"	13	13	13	.....	200
Loew's, Inc.	28⅝	27⅞	28⅜	+ ⅜	2,400
Paramount Publix	3¾	3¼	3⅝	+ ⅜	6,600
Pathe Exchange	2⅛	2⅛	2⅛	— ⅛	100
Pathe Exchange "A"	20⅞	20½	20⅞	+ ⅜	200
RKO	2⅛	2⅛	2⅛	.....	400
Warner Bros.	5⅛	5	5⅛	+ ⅛	3,600

Technicolor Off ⅛ on Curb

	High	Low	Close	Net Change	Sales
Technicolor	13½	13	13½	— ⅛	700
Trans Lux	1½	1½	1½	.....	100

Bond Market Steady

	High	Low	Close	Net Change	Sales
General Theatre Equipment 6s '40	8	7⅞	7⅞	— ⅛	6
General Theatre Equipment 6s '40, ctf	8	8	8	— ½	1
Loew's 6s '41, ww deb rights	101	100½	100½	— ½	12
Paramount Broadway 5½s '51	41⅜	41	41⅜	.....	4
Paramount F. L. 6s '47	49	47½	49	+ ½	15
Paramount Publix 5½s '50	49½	49½	49½	+ ⅜	1
Warner Bros. 6s '39, wd	55½	55	55	.....	16

Purely Personal

FRANK BRUNER, who handles publicity at the Rivoli, is back in town after a short visit to the World's Fair. BRUNER is awaiting the reopening of the house with "Rothschild" shortly.

ABE SIEGEL, promotion manager of the *Literary Digest*, says it's good to be back in production again. Years ago, he was a branch manager for Fox in Detroit.

SAM WIESENTHAL has completed his work for Universal in London and will return today to New York. He is no longer connected with Universal.

LEON LEONIDOFF, producer of the Radio City Music Hall stage shows, arrived from Europe yesterday on the *Mauretania*.

FAY WRAY and RALPH BELLAMY, who have been playing in "Woman in the Dark" at the Biograph Studio, leave today for the coast.

RICHARD and MRS. DIX were tendered a farewell party yesterday aboard the *S.S. Santa Lucia* before the couple sailed for the coast.

AL SZEKLER, Universal's Brazilian manager, who is in town on a semi-business and vacation trip, will remain indefinitely.

HARRY MARTIN, critic of the *Memphis Commercial Appeal*, is giving Times Square and its highlights the once over.

VERA MURRAY is operating the Washington, Dobbs Ferry as a summer theatre for tryout of new plays.

ISABEL JEWELL is due in town next Tuesday for a short vacation from M-G-M.

P. D. COCHRANE returns Monday from a two-week vacation.

HAL HODE is up at Lake Katonah for the hot season.

HAL HORNE was out of the office for a few days on a short vacation.

Radio Gets Hepburn For 2 More Years

HOLLYWOOD, July 6.—Radio has signed Katharine Hepburn to a new two-year contract under which it will have her services exclusively. The agreement carries no options and calls for three pictures a year at a higher salary.

Para. Regional Closes

Paramount's regional sales meeting closed yesterday at the Waldorf Astoria, with Divisional Sales Manager J. J. Unger presiding, assisted by Milt Kusell, and William Erbb, district managers.

Branch managers present were Clayton Eastman, Albany; Kenneth Robinson, Buffalo; E. Bell, New Jersey; H. Randel, Brooklyn; Myron Sattler, New York City; J. H. Kane, New Haven; J. H. Stevens, Boston, and Ed Ruff, Maine. Also present were salesmen, bookers and sales managers from the exchanges.

Newman in London

LONDON, July 6.—Sol G. Newman, managing director for Radio here, is back from New York and the company's Chicago sales convention.

Cleveland to Go Off Dual Bills Sunday

(Continued from page 1)

is being adopted as a result of the better films movement.

The local Parent-Teacher Ass'n. and Mothers' Clubs have also commended the change.

After Sunday, the only dual houses in the Greater Cleveland area will be those opened after the signing of the agreement. Such houses will, of necessity, be operated by exhibitors new in the field, as the agreement provides that houses opened at any later date by signers are also committed to single features.

Exhibitors Hail Move

The vast majority of exhibitors in the area are enthusiastic over the move. They plan to present Family Night programs over the week-ends, and to build their programs to suit each neighborhood. They expect losses at first.

The feeling locally on single features is not entirely unanimous. There are some who feel that all of the theatres cannot stand the financial strain of the change of policy. Some doubt the agreement is 100 per cent binding. Others express the opinion that a test case will soon be made in court.

Distributors have been asked not to serve theatres playing dual bills. One major company has stated it will continue to serve double feature houses when and as it sees fit. Independent distributors will also serve such houses.

Opens With Duals

The Temple Theatre, East 55th St. and Central Ave., closed for the past five years, was opened this week by Victor Wolcott with a double feature policy. Wolcott was not an exhibitor when the agreement was drafted, and consequently was not one of the signers. It is reported that other houses in the area, long closed, will open soon with a dual policy.

This is not the first time that an effort has been made to eliminate duals in Greater Cleveland. Last year the movement was all but successful. In order to make it successful, it had to have the support of every theatre owner in the city. As soon as the agreement was signed by every subsequent run exhibitor member of the association, M. B. Horwitz, chairman of the committee, went to New York and secured the co-operation of the Loew, Warner and RKO circuits.

When the single feature policy goes into effect next Sunday, Warner's Lake will close, to remain closed until the middle of August.

Cleveland Reports Warner-RKO Pool

CLEVELAND, July 6.—Once more the rumor is rife Warners and RKO are pooling their Cleveland theatres in a buying arrangement. Last season similar rumors were abroad, but they never materialized. It is now said that Warners are dickering for the Allen, downtown first run independent house, and if they get it, will have three downtown outlets, the Hippodrome, Lake and Allen.

Cleveland Flooded With Zone Plaints

(Continued from page 1)

in the form of appeals from the local board's rulings upholding the new schedules, it was learned today.

The local secretary of the clearance and zoning board has been instructed by John C. Flinn, executive secretary of Code Authority, to forward complete records and minutes of the complaints heard by the board to Code Authority for appeals committee hearings.

The clearance and zoning schedule in effect here was agreed to as part of a settlement of a suit brought by subsequent runs against first run houses in 1932. The agreement does not expire until Dec. 31, next.

John C. Flinn stated yesterday that the appeals on the Cleveland clearance and zoning rulings would be studied first by Campi's legal committee at a meeting on Tuesday. The committee will determine whether it is necessary to obtain a court order to make the changes contained in the new schedule effective.

Five Grievances to Los Angeles Board

LOS ANGELES, July 6.—Five complaints have been added to the grievance board calendar.

Robert F. Killeen, operating the Rex, Phoenix, charges Rickards & Mace with entering into an agreement with all major distributors for product covering second, third and fourth runs. He insists that with three changes a week they can't play them all. He also charges playing pictures with stage shows at 15 cents.

Jennie H. Dodde, operating the Mission, Ventura, charges Principal Theatres and the West Coast American Amusement Co. with staging "Bank Nights" at the Ventura Theatre.

John T. Rennie, Rennie, San Fernando, also has lodged a "Bank Night" complaint against Feldstein & Dietrich, operating the San Fernando.

L. E. Funk, operating the Bellflower, Bellflower, has lodged a complaint charging false advertising of attractions at 15 cents before they are booked. His complaint is against Carl Young, Meralta, Downey.

American Theatres, Inc., operating the Iris, Hollywood, charges F. W. C., United Westcoast Theatres and United Artists Theatres, Inc., with conspiring to block his buying of product. His house was formerly operated by F. W. C. and had plenty of pictures, he says, but since the lease was turned back to the present operator he can't get product.

Decision Withheld On Case at Sussex

The Code Authority Appeals Committee reserved decision yesterday on the clearance complaint of Sussex Amusement Co., Sussex, N. J., against the Strand and Ritz, Port Jervis, N. Y., which seeks a reduction of the latters' 30-day protection over Sussex.

The local clearance and zoning board here upheld the 30-day clearance, but the Campi advisory committee recommended that it be reduced to 14 days. The Campi appeals committee which heard the case yesterday consisted of George Schaefer, chairman; Harry Buxbaum and Joseph Seider. Three other cases scheduled for hearing by the appeals committee yesterday were postponed two weeks to permit parties involved to appear in person.

Four cases are set for hearing Monday by a new appeals committee of which J. Robert Rubin is chairman.

New Way Found to Enforce Moral Code

HOLLYWOOD, July 6.—Joseph I. Breen outlined at a press conference today a new plan of enforcing the production code, effective July 15. It provides that all pictures released after that date must be passed by him in keeping with the strict letter of the code. If and when a film is passed the producer will be issued an engraved certificate which will permit him to attach the official approval insignia on the main title of the picture.

The local rotating jury of producers to sustain or reject any decision made by Breen will be abandoned. Breen, as director of the production code administration, will have the only and final word in ruling on violations of the code. If a producer thinks his decision is wrong he may appeal to the board of directors of the M. P. P. D. A. in New York.

This service is available to nonmembers of the organization, but is not compulsory as in the case of members. Many independents are already submitting scripts as a protection against violating the code. Scripts before going into production will be scrutinized more carefully than before, it is said.

The Hays office today stated more than 260 scripts considered for filming during 1933 were rejected under the self-regulatory measures of producers as contained in the code of ethics drafted in 1930.

No Code Hearings, States Rosenblatt

(Continued from page 1)

administrator that while some recommendations for amendment are pending, they are purely "pro forma," relating to budgetary matters, and will not require public discussion.

Clearances Are Set Around Glens Falls

ALBANY, July 6.—Clearances have been set for Glens Falls and the surrounding territory. The new schedule was set up as a result of a complaint of Frederick W. Mausert, State, Glens Falls, against the Paramount and Rialto, first run, and the Empire, second run.

The new schedule follows: Glens Falls—45 days for first runs over second runs; 14 days for second runs over third runs; 14 days for first runs over Hudson Falls. Hudson Falls—14 days over Fort Edward. Glens Falls—seven days for first runs over Schuylerville, Whitehall, Granville, Luzerne and Chestertown.

Proposed Kid Shows Stir N. O. Curiosity

NEW ORLEANS, July 6.—Films for children and parents are to be shown in the courtyard of Beauregard House by the Louisiana Educational Ass'n. As this comes under the head of competition with established theatres there is some curiosity as to where the films will be obtained, if they are of an entertainment nature.

ITOA to Have Only Darrow's Moral Support

(Continued from page 1)

to independent factions attempting to obtain changes in the code, Darrow said that he had not agreed to align himself officially with the I. T. O. A. or any other industry faction.

"Statements that I would do so," Darrow said, "must have been the result of assumptions based on my well known feelings in the matter. The independent exhibitors have, and will continue to have, my moral support in their fight against the motion picture code. Anything I can do to help them as a friendly advisor I will do gladly, but I have given up the practice of law and I will not take any active or official part in their opposition to the code."

Darrow said he was leaving for Chicago today and that he might take a European trip in the near future, but was not decided yet on the latter move.

Mason to Go Ahead

Lowell B. Mason, former counsel for the Darrow Review Board, who, with Harry Brandt, I. T. O. A. president, told 100 exhibitors at an I. T. O. A. luncheon meeting at the Astor, Thursday, that Darrow's services would be given to independents without remuneration, indicated yesterday that he, himself, would go ahead with his plans for serving with I. T. O. A. and cooperating independent organizations in their code tussle.

Mason left for Washington yesterday to wind up affairs of the review board, which was abolished by executive order July 1, saying that he would return Monday for further conferences with Brandt and Milton C. Weisman, I. T. O. A. attorney.

Questioned about the Darrow denial that he, Darrow, would lead the I. T. O. A. code fight, Weisman said that he had "just talked to Darrow and he doesn't think it would be seemly of him to step right out of the review board into a particular contest which figured in his official activities. However, he believes the I. T. O. A. fight against the code to be a good one."

Darrow declined to comment yesterday on courses open to independents in their efforts to obtain changes in the code and was petulant and brusque when asked his opinion of the independents' chances of obtaining the code relief they seek.

"I can't answer that," he replied.

Columbia Men Off For Chicago Meet

(Continued from page 1)

Abe Montague, Joe McConville, Rube Jackter, Louis Astor, Lou Weinberg, Maurice Grad, J. MacFarland, A. Seligman, William Jaffe, Milt Hannock and W. Brennan. Nate Spingold is already on the scene of action, and Henri Brunet left yesterday to make the preliminary arrangements.

Alec B. Francis Dead

HOLLYWOOD, July 6.—Alec B. Francis, 65, veteran actor, died this afternoon at the Hollywood Hospital following an operation earlier in the day. His widow survives.

Short Subjects

"La Cucaracha"

(Radio-Technicolor Special)

Hollywood, July 6.—Revolutionary in its color rendition and expression, "La Cucaracha" comes to the screen not only as an entertaining semi-feature revealing a bit of Mexican folk song and drama, but as perhaps the most attractive color shown on the screen to date.

Not once did the usual red, green or yellow primaries intrude across the action to give jitters to the eye.

Beautiful and smooth, revealing tints and tones heretofore deemed impossible via film and projection, the effect of harmony created is like a series of oil paintings done in the manner of the old masters.

All hands who worked toward the achievement of these color effects merit high praise from the industry. If their experiments make this color commercially feasible, the industry should see a great deal more color film used in forthcoming productions.

Robert Edmond Jones, artist formerly employed in creating stage settings, is responsible for the effects, the grouping, the color harmony, and the dovetailing of the drama with primary or secondary colors as the mood demanded.

Lloyd Corrigan directed with vigor, securing added emotional responses by shrewd use of dramatic motivations and color relations in mass as well as individual action.

Story by John Twist and Jack Wagner.

Photography by Ray Rennahan blends light and color vibration for audience reaction.

Performers enact their roles with vitality and humor—Steffi Duna, Don Alvarado and Paul Porcasi bringing splendid talents to their roles.

"La Cucaracha," Mexican folk song, also employed in "Viva Villa," heightens the eye and ear technique by its challenging refrain.

Both Jock Whitney and Pioneer Pictures should receive grateful decorations from an industry that has waited too long for such gorgeous color filming. Running time, 28 mins.

"Roamin' Vandals"

(M-G-M)

Any audience should be highly amused at the antics of Patsy Kelly, Lillian Miles and Eddie Foy, Jr., in this short. As members of a medicine show traveling in the West they run into difficulties with various sheriffs because of Miss Kelly's habit of punching people in the eye. The windup is a chase that is really funny. Running time, 20 mins.

"Paramount Pictorial"

(*Paramount* 3-10)

Appropriate in the timeliness of the opening scenes showing the proper types of glasses for serving liquors, this short is entertaining. Various types of easily tamed birds are next seen, with the reel winding up showing Con Conrad, the song writer, and Del Campo, the radio singer, featuring Conrad's works. Running time, 10 mins.

MOTION PICTURE DAILY'S HOLLYWOOD PREVIEW

"Paris Interlude"

(M-G-M)

Hollywood, July 6.—Chronicling the buzzing circle of American writers, scribblers and petty chiselers on the fringe of Paris' Latin Quarter, this production also probes emotional regions.

On the exciting night of Lindbergh's Paris arrival, we meet Madge Evans, an apple-cheeked miss from the middle west; Otto Kruger, veteran air ace and topnotch correspondent; Robert Young, Kruger's assistant; Una Merkel, a hard-boiled fashion expert, and Edward Brophy, a hack writer. The action centers around Ted Healy's bar.

The story concerns Madge's love for Otto and Young's friendship toward her when Kruger goes to China. On the night Young and Miss Evans are to marry, Kruger, previously reported killed by bandits, returns, but sensing the romantic situation, makes a sacrifice fadeout.

Pleasant heart interest runs through the production. The cast is interesting and competent but the characters, while real, are somewhat unattractive.

Ed Marins' first major film direction is especially commendable. The picture is from a play by S. J. and Laura Perelman, with the adaptation by Wells Root.

When trimmed, the production should be pleasing as a programmer for subsequent runs and neighborhoods. Running time, 86 minutes.

"The Scarlet Letter"

(Majestic)

Hollywood, July 6.—This filmization of Nathaniel Hawthorne's classic, completed in 14 days, has all the earmarks of a major studio production. Although its box-office reception may be dubious and exploitation is necessary, shearing for speed should make this able to stand alone on any bill.

The setting is Massachusetts' early Puritan period. Colleen Moore, guilty of social sins, receives the official, narrow-minded reprimand and wears the shameful red letter publicly. Hardie Albright, youthful village pastor, and the unsanctioned father of Miss Moore's daughter, Cora Sue Collins, is unable to confess his guilt. Henry B. Walthall, eminent doctor and husband of the shamed girl, returns after a two-year absence seeking the unlawful husband. He finds the pastor, taunts him unmercifully until Albright's conscience drives him to a public confession and an untimely death. The girl lives down her disgrace and is received by the townspeople.

All performances are good, particularly Albright's. Alan Hale and William T. Kent make a fine comedy team. Their whispers of love in a courting scene are riotous. Bob Vignola's direction is splendid. The screen play, by Leonard Fields and David Silverstein, is well knit. The photography of James S. Brown, Jr., is noteworthy. Running time, 80 minutes.

Looking 'Em Over

"Cross Streets"

(Invincible-State Rights)

Trite, packed with implausible situations and not always happily cast, this Invincible production is decidedly mediocre. Some of the names in the cast may help the neighborhood exhibitor make a go of the film. Among them are John Mack Brown, Claire Windsor of silent picture fame, Anita Louise, Matty Kemp, Kenneth Thomson, Niles Welch and Josef Swickard.

Again it is the story of the brilliant young man who takes to drink over a blighted romance and turns his life into a failure. The young man in this instance is Brown, just being graduated from medical school. The girl of his heart jilts him and off he goes to the old bottle. When he causes a patient to die under the knife, he renounces medicine and becomes a bum.

He has a chance to redeem himself when through a bluff he has himself appointed in charge of the medical school at his Alma Mater. But at a dinner in his honor he messes up everything by revealing the truth about himself. To complicate matters he falls in love with the daughter of the woman who gave him the air. In the end he dies after being shot by the woman's jealous husband.

Frank Strayer directed. Running time, 69 minutes.

NEA in Resolution Hits Unclean Films

(Continued from page 1)

NEA to "other organizations, educational, patriotic and religious, in demanding a high type of moving picture for the boys and girls of America.

"The association hereby records itself as wholly in sympathy with the current movement to bring about reform in the moving picture industry and to encourage clean and moral films," it was declared. "The association condemns the showing of stories or scenes which threaten the integrity of the American home, ridicule sacred institutions, glorify lawlessness and make juvenile delinquency a subject of jest or an incitement to imitation. The practice of block booking of pictures to exhibitors, whereby worthy pictures and objectionable ones must be taken in lots, is recognized as largely responsible for the unsavory character of contemporary moving picture programs and is condemned without reservation."

No Circuit Closing Up in Wilmington

(Continued from page 1)

they have no immediate plans for closing as a protest over the boycott in Philadelphia.

The attitude of the Catholics in Wilmington at the present time does not tend to a general boycott. Herein the situation differs from Philadelphia. Titles of pictures which Catholics do not believe should be seen are given out.

Recently 200 letters were mailed by girls of the Ursuline Academy to various producers asking them to produce cleaner pictures.

According to the president of the I.M.P.T.O.A. of Delaware and the Eastern Shore of Maryland, independents in this area may be forced to close if Philadelphia houses close, because of release date agreements on pictures, but apparently Warners and Loew's have no immediate plans for closing.

Catholic Bishop Calls On Will Hays to Quit

Fall River, July 6.—The resignation of Will Hays was demanded today by Bishop James E. Cassidy, apostolic administrator of the Fall River Catholic Diocese, on the ground that the M. P. P. D. A. head had been "false to the trust imposed on him" as a champion of clean films.

The prelate charged Hays with being "a cobetrayer with the movie industry of the sacred rights of parents to protection of the morals of their children."

Houston Protestants Join in Film Drive

Houston, July 6. — Protestant churches here have joined the Catholic drive against immoral pictures. The Methodist and Baptist pastors' conferences, meeting separately, indorsed the Catholic Legion of Decency.

Each Protestant body ordered 15,000 pledge cards to be distributed among church members, by which the signers pledge themselves "not to attend indecent and salacious moving pictures." The Catholic churches have distributed 20,000 pledge cards.

The Leading Daily Newspaper of the Motion Picture Industry

MOTION PICTURE DAILY

Alert, Intelligent and Faithful Service to the Industry in All Branches

VOL. 36. NO. 6 NEW YORK, MONDAY, JULY 9, 1934 TEN CENTS

Hays Reports Studios Ban Many Scripts

Rejections in Addition to 260 by MPPDA

HOLLYWOOD, July 8.—That producers last year rejected many scripts of their own free will without pressure from the Hays office in their desire to keep within the provisions of the moral code for the industry is revealed by the M.P.P.D.A. in making public here a report on its activities for the past year.

Scripts rejected by the producers themselves were additional to more than 260 turned down by the Hays organization. Of this number 160 were rejected here and the balance by the New York office.

The report estimates the average number of basic changes in script treatments at 1,200 yearly, with the total of less important changes, such

(*Continued on page* 6)

Columbia Starting 2nd Meeting Today

CHICAGO, July 8.—Over 100 Columbia men, including a contingent from New York headquarters, are here for the company's western sales convention, which opens at the Medinah Club, Monday. The same procedure as that which prevailed at Atlantic City last week, will be observed here. Jack Cohn will open the meeting and then

(*Continued on page* 4)

Duals to Go Within Six Months—Roach

HOLLYWOOD, July 8.—Hal Roach predicts the end of duals within six months. He bases his prediction to a great extent on the growing tendency of the public to be fed up with double bills and the keeping of children too long at matinee sessions, causing worriment to their parents.

5-Centers Socked

Toledo, O., July 8.—Twenty-four months' protection against five-cent houses has been granted to first-run exhibitors here in a clearance and zoning schedule for 1934-35 proposed by the clearance and zoning board. Five-cent houses have been a thorn in the side of Toledo exhibition for several years.

Move to Cut Agents' Pay To Salary in First Week

HOLLYWOOD, July 8.—Exhibitors who have often accused Hollywood agents as being at least partly responsible for boosting artists' salaries will be interested in a current movement to limit agents' commissions to the first week's salary of any engagement secured. This is the system that applies to agents in other vocations.

The present state labor laws entitle picture agents to 10 per cent of a full year's salary, but agents have seen the handwriting on the wall and have set up complete financial as well as managerial representation by handling personal affairs, such as income tax, investments, family budgets and in many instances legal affairs and publicity.

The problem of exacting 10 per cent

(*Continued on page* 4)

Chicago Gets Catholic O.K. For 52 Films

CHICAGO, July 8.—In its first pamphlet of current pictures designating qualifications demanded by the Catholic League of Decency the Chicago council labels 52 pictures as "suitable for Catholic patronage." Forty-one are termed "offensive in spots because they are suggestive, vulgar, sophisticated or lacking in decency." Thirty-one are banned outright as being "immoral and indecent and entirely unfit for Catholic patronage."

The purpose of the bulletin is given as follows:

"The Chicago council of the League of Decency plans to give this service to pastors of parishes, heads of schools and Catholic institutions and the various publications which reach our

(*Continued on page* 6)

Spot Clean Pictures In Counter-Campaign

BUFFALO, July 8.—A strong bid for kid trade this summer is being made at Shea's Buffalo, which also is ostentatiously spotting clean pictures in a quiet counter-campaign against the church movement.

"Baby, Take a Bow" will be followed by "The Circus Clown," both pictures which might not have been booked into the ace house in Western New York in other days. Stage acts and material are being closely scanned, too.

Portland Goes Into 12 Clearance Zones

PORTLAND, July 8.—Under the terms of the new clearance and zoning chart just made public the city is divided into 12 zones and four price classifications.

First runs charging 25 cents get 35

(*Continued on page* 4)

Church's Ban Hits All Film In St. Louis

The Catholic boycott has been extended to St. Louis, where all product has been banned. So far as can be learned, this marks the second large city to be so designated, the other being Philadelphia.

Agreed that pictures held objectionable should be cleaned up, the Catholic campaign throughout the United States, united in purpose, is assuming several forms. One calls for publication of both "black" and "white" lists. Another provides for publication of "white" lists, which are approved films, only. A third method publishes the names of offending producers, but not the titles of pictures.

Cities where Catholic publications concentrate on "black" lists only are

(*Continued on page* 6)

K. C. Jewish Editor Against Film Curbs

KANSAS CITY, July 8.—The first local Jewish expression on the clean film crusade is against curtailment of the liberties of the screen. The *Kansas City Jewish Chronicle*, in editorial comment, declares:

"Some folks have the idea that all 'bottled entertainment' comes from the distilleries, but if the present move of church groups for 'cleaning up' the movies has its sway, we'll have clergymen supervising our entertainment to the extent of bottling up whatever they regard as unsuited for our pe-

(*Continued on page* 6)

St. Louis Board Has Non-Compliance Case

ST. LOUIS, July 8.—Gaylord W. Jones, operator of the Rialto, Granite City, Ill., has been cited to appear be-

(*Continued on page* 4)

Natan Amazed At Waste of Dual Billing

Cause of Overproduction Here, He Declares

The economic structure under which the American industry permits double features at 10 and 15 cents is not only responsible for overproduction in Hollywood but is also "stupid and wasteful," declared Bernard Natan of the Pathe Natan organization, France's largest exhibitor, producer and distributor, as he sailed for Paris on the *Ile de France* Saturday morning.

Natan, whose views were expounded through Henri Diamant Berger, French producer and director, since the former speaks little English, expressed himself as "amazed" that the industry here should allow the sale of its product on a basis which, it was his opinion, makes it impossible to clear negative costs. Berger, incidentally, echoed Natan's slant.

"I cannot comprehend such a policy," it was said for Natan. "Two features, plus a cartoon and a news-

(*Continued on page* 4)

Vaudeville in Cincy Shrinks to One Spot

CINCINNATI, July 8.—Vaudeville has gone out at the Strand, downtown independent, and will be replaced with double features at a 15-cent matinee rate for any seat. Night prices will be 15 and 20 cents for balcony and lower floor.

This is the first house here to go to duals as a regular policy, and leaves the RKO Grand the only downtown spot to play vaudefilm.

F. & M. Plans More Middle West Units

ST. LOUIS, July 8.—With definite plans under way to expand in the middle west, F. & M. will make St. Louis its theatre stronghold.

Five houses in this city are now

(*Continued on page* 4)

Pins and Needles

Chicago, July 8.—Will hilarious patrons, equipped with rubber bands and pins for sling shots, make Sally Rand's bubble the object of their hilarity? Described as a bubble, Sally actually uses a balloon. The issue has Fair officials in the Italian Village concerned.

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Television Causes Chicago Union Row

CHICAGO, July 8.—First skirmish in tomorrow's battle of which branch of organized labor will control television was staged at the world's fair this week when agents of the operators' union, headed by Tom Maloy, clashed with representatives of the electrical workers union over the question of which group should operate the television exhibit at the electrical building.

While a couple of police sergeants looked on representatives of the two unions held a pow-wow. Representatives of the electrical group stuck to their guns, as it were, informing Ralph O'Hara, business agent, and Emmett Quinn, steward of the operators' local, that they were keeping their men on the job. That's where the situation stands—for the time being.

Harry Pollard, Actor And Director, Dead

HOLLYWOOD, July 8.—Harry Pollard, 55, is dead of a heart attack. He had been ill for six weeks.

Pollard appeared in several silent films with Margarita Fisher, his wife, and directed "The Prodigal," "The Leather Pushers," "Show Boat," "Uncle Tom's Cabin," "Shipmates" and some of the "Cohens and Kellys" series for Universal.

Miss Henry for "Babes"

HOLLYWOOD, July 8.—Paramount has loaned Charlotte Henry to Hal Roach for the role of Little Bo Peep in "Babes in Toyland."

Insiders' Outlook

HAVING said little or nothing during his stay here, Bernard Natan unloaded plenty Saturday, embarked on the *Ile de France* for that dear Paris and left behind him an interesting chapter in the furiously discussed and entirely unsolved double feature situation. His observation was that merchandise is being marketed at prices which do not allow the producer to come out; that admissions are deplorably low and that pandering to the double feature market is responsible for overproduction and Hollywood's unswerving allegiance to its years' old numerical standards. In short, the economic system prevailing here is wasteful and pediculous. . . .

▼

There are many who will agree with Natan. What to do about doubles has been dissected and put together so often and at such length there would appear no point in reviving a bugaboo in hot or any other kind of weather. What is curious about the situation, however, is the public sentiments expressed by the all highest in the industry and the reverse practised by their own theatres. The reason, like the argument, of course is blamed on the competition. Actually, the reason is a lack of backbone to step where others won't or don't care to tread, plus the natural ambition of sales departments to maintain accounts at their present level, whatever that may be. . . .

▼

This is the explanation for the attitude privately expressed by sales managers who, in many instances, fail to jibe in their own point of view with that expressed by the heads of their organizations. It seems logical enough to turn to the representative companies in the business for any moves in the elimination of doubles, if the ambition to actually cut them out is sincere. Why, it has been asked, should the smaller fry in exhibition and distribution both walk in where the major, vested interests haven't the guts to stride? They ask, but they don't get any answer because there is none that will hold water. . . .

▼

The latter day development on duals and their end fits into clearance under the code. The suggestion made at the M.P.T.O.A. convention in Los Angeles in April by Morgan Walsh of San Francisco that zoning be set up with admissions as the first consideration seems to be bearing fruit, whether through his utterances or because others elsewhere, mysteriously enough, got the same idea about the same time. This explains how it is that houses showing doubles are shoved far down the line in clearances, their, let's assume, 25-cent admissions being computed as 12½-cent shows because they show two pictures instead of one. . . .

▼

The program is destined to run into trouble, perhaps considerable trouble. Several distributors — they are important—who have opposed restrictions on duals from the days of code formulation in Washington until now are not inclined to sit back under clearance schedules as they are piecing themselves together in many key territories. Clearance, circuits' delight as it has been small operators' despair for years, was expected to be reduced, not increased under the code. Is that happening, questioners are asking. Replying to their own queries, they emphasize that it is not. Talk of suits and appeals to Campi consequently are rifting the sultry ozone. . . .

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Now back to Natan. He believes producers would be better off concentrating on 12 big ones a year and envisages longer runs down the line as a direct result. This brought to mind what Irving Thalberg told us at lunch in his bungalow on the Metro lot a few weeks ago. "The exhibitor has nothing at all to do with it. The fault is Hollywood's and from that there can be no escape. What difference can it make to the theatre operator if he changes once a week or more often or less? Don't you think, for example, that Ed Bowes at the Capitol in New York would welcome the type of product that would permit him to hold a given picture for three weeks? Showmen want real attractions and they'll run them as long as they will hold up. The trouble is they are not getting enough of that kind of picture." . . .

▼

Thalberg, at the time and no doubt at this minute as well, saw the future of the business building on super attractions only. That is why he proposes confining his activities to 10 or 12 a year and probably less. We asked him what about pictures to supply theatre changes. He replied there would not be so many if product —the right kind—were furnished. We asked him what he saw in the crystal for Hollywood. He replied: "The button makers will continue to make buttons instead of pictures and the real builders of attractions, real pictures." Thalberg, incidentally, was the only major executive in Hollywood who assumed the stand that the answer was entirely out of exhibition's province and one for production to grapple with. Any other argument that theatres wouldn't allow producers to make less pictures because of current policies he regarded as an alibi advanced by Hollywood for the continued production of junk attractions. . . .

▼

Elsewhere today much fuss may be made of the fuss Milton C. Weisman, attorney for the New York I.T.O.A., endeavored to stir up Saturday morning. He plans suits, does Weisman, against this one and that and all

(*Continued on page 6*)

Most Stocks Gain in Quiet Day

	High	Low	Close	Net Change	Sales
Columbia Pictures, vtc	30	29	30	+2	200
Eastman Kodak	98½	98½	98½	.....	100
Loew's, Inc	28⅜	28¼	28¼	— ⅛	600
Paramount, cts	4⅛	3¾	4⅛	+ ½	13,200
Pathe Exchange	2¼	2¼	2¼	+ ⅛	800
Pathe Exchange "A"	21⅜	21⅛	21⅜	+ ¼	400
RKO	2¼	2⅛	2¼	+ ⅛	600
Warner Bros	5⅛	5⅛	5⅛	.....	2,400

Trans Lux Only Curb Opener

	High	Low	Close	Net Change	Sales
Trans Lux	1⅝	1⅝	1⅝	+ ⅛	500

Warner Bonds Up One Point

	High	Low	Close	Net Change	Sales
General Theatre Equipment 6s '40	8	7⅝	7⅝	— ¼	8
General Theatre Equipment 6s '40, ctf	7⅝	7⅝	7⅝	— ⅜	2
Loew's 6s '41, ex war	100¾	100½	100½	.....	9
Paramount F. L. 6s '47	49	49	49	.....	2
Paramount Publix 5½s '50	48¾	48¾	48¾	.....	1
Warner Bros. 6s '39, wd	56	55	56	+1	9

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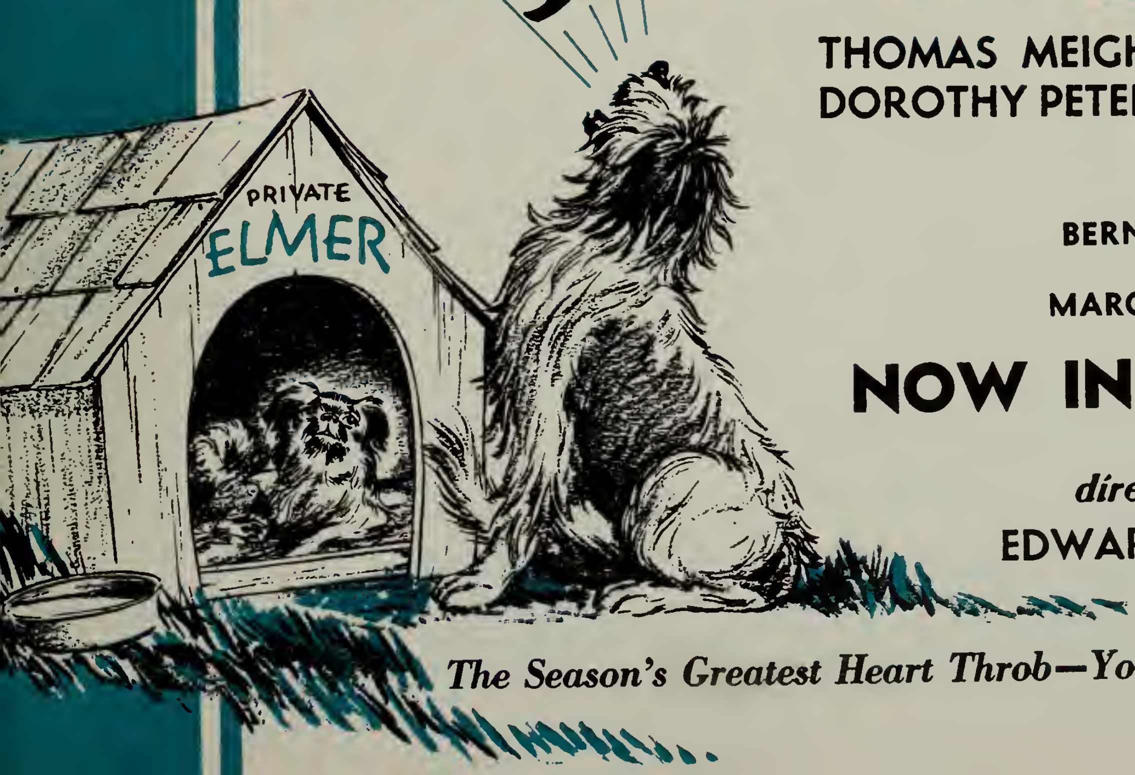

The Season's Greatest Heart Throb—You'll love it! Watch for it!

Natan Amazed At Waste of Dual Billing

(Continued from page 1)

reel and often more, at 15 cents and, in some cases, at 10 cents, to me represents an unexplainable business method. Your low prices of theatre admission are amazing as well. I am convinced that overproduction in Hollywood is traceable to the demands made by the double feature market. As a result of observations gathered here, Pathe Natan has come to the definite conclusion that the future lies in fewer pictures, better made."

In keeping with his decision, therefore, Natan is returning to Paris with the fixed determination of trimming his company's current 31 features to 26 for the 1934-35 season, but increasing the budget. He also declared he intended using the influence of his organization to spread this plan among other French producing companies.

"How much better it would be for each major company to concentrate on 12 big pictures a year. Where product now gets a few days' run, it would run a week. Where it runs a week, it might easily run two and three. This type of attraction not only would, satisfy domestic demands, but the entire world as well," he added.

May Influence French Industry

It is possible that Natan's intention of influencing the French industry to veer more sharply from a quantity to a quality basis may develop. Pathe Natan controls 250 theatres in France. Of this number, 82 are owned outright. The others are tied in on a "program" basis which provides Pathe Natan is to supply product and for which it gets a percentage of the gross without participation in actual ownership.

Natan and Berger visited Hollywood, primarily on an inspection tour, but there signed Charles Boyer, who played the lead in "Caravan" for Fox, to return to Paris.

They will return here in September for the opening of their own offices in the French Building in Rockefeller Center. American universities have been petitioning them for French pictures, it was explained, as a means of furthering the instruction of French students. Pathe Natan expects to meet these requests, perhaps through a 17.5 millimeter machine.

Asserting there are 100,000 French-born men and women here, as well as 500,000 French-Canadians across the line, the company anticipates going in for limited showings of its product through regular theatre channels beginning late this year or early next.

F. & M. Plans More Middle West Units

(Continued from page 1)

under the circuit's banner and additions are planned here. New acquisitions will be in the form of neighborhood and subsequent run houses.

Harry C. Arthur and Marco Wolf are due here from New York about Thursday to set up operation plans for the Ambassador, Missouri and Grand Central.

Move to Cut Agents' Pay To Salary in First Week

(Continued from page 1)

commissions each week of a year as against only the first week's salary of any contract negotiated has been discussed at meetings of the Agency Code Committee, according to reliable sources.

Proponents of the new plan claim clients not wishing to avail themselves of the complete agency service should be compelled to pay only the first week's salary. One agent stated that if a one-week salary commission is imposed by law, he will sign clients on 10-week periods.

A local court recently established a precedent on agents' commissions by ruling in the case of Shirley Temple vs. Bernard that he could collect only five per cent of her salary. The agent later dropped his client, claiming the expense entailed on the basis of $150 per week was insufficient. Later Fox raised Shirley's salary to $1,000 weekly without the aid of an agent.

Portland Goes Into 12 Clearance Zones

(Continued from page 1)

days over second runs; 56 over third; 70 over the city break at 25 cents, the date on which films are available for first run in each zone; 105 days over subsequents at 20 cents, and 161 over subsequents at 15 cents.

For first runs charging 30 to 35 cents, the schedule follows: 49 over second runs; 70 over third runs; 84 over city break, all at 25 cents; 119 over subsequents at 20 cents; 175 over subsequents at 15 cents. For first runs charging 40 cents to 55 cents the clearances in the same classifications are: 56, 77, 91, 126 and 182; for first runs at 60 cents to 75 cents, 63, 84. 98, 133 and 189. Any picture run at 10 cents becomes available six months after the 15-cent break.

Pictures with stage shows go into the next lower clearance classification.

In the first zone are the Broadway. Music Box, Pantages, Paramount and United Artists; second zone. Blue Mouse, Capitol, Hollywood, Liberty and Oriental; third zone; Bluebird, Nob Hill and State.

Chicago Police Put Stop to Giveaways

CHICAGO, July 8.—In an order to local exhibitors Harry M. Costello, lieutenant in charge of crime prevention definitely places the taboo on giving away of merchandise or holding various forms of lottery in theatres. The order states that this is a violation of the city code.

Lieutenant Costello's letter states that the action is taken as a result of complaints received from merchants.

In a few instances where exhibitors have a series of prizes to complete giving away Lieut. Costello has indicated that he will grant them until July 15 to get rid of their merchandise.

Charter Kentucky Firm

LOUISVILLE, July 8.—The Stone Theatre, at Stone, Ky., has been incorporated with a capital stock of $1,000, by T. A. Obenshain, Allen Obenshain and Dr. C. C. Browning.

Chicago Zoning to Get a New Hearing

CHICAGO, July 8.—The local zoning system will be subjected to fire in a meeting of the clearance and zoning board to be held July 12 to which all exhibitors in the city and metropolitan area have been invited.

The meeting is a result of complaint against the present setup launched by B. & K.

B. & K. is asking for further protection beginning with the first week of release. The circuit wants a "dead week" inserted between each release week following the down town run period of nine weeks. This would be equivalent to an extra seven days' protection for all theatres.

Just what the attitude of theatres generally will be is not known yet. Aaron Saperstein of Allied admitted that he could not give any indication of how his members felt about the proposed change until he had gathered their views at a meeting. Even some of the circuits, such as Essaness, are not sure how the change would affect them.

If the B. & K. plan goes through it will mean a complete revamping of the present zoning plan. It is predicted that it will be subjected to plenty of sharpshooting from some of the smaller houses.

Local exchange managers have indicated that they favor the plan only if it will bring about an increase in matinee prices. They point out that approximately 70 per cent of the business is done up to 6:30 o'clock.

Exhibitors who desire to be heard have been asked to notify the secretary in advance. Jack Rose is scheduled to preside.

Pettijohn Makes Denial

Charles C. Pettijohn on Saturday denied he had ever discussed with Clarence Darrow and the National Recovery Review Board any plan to submit block booking and right to buy disputes to an arbitration board of nine. Lowell Mason, former board member, and Harry Brandt, president of the I.T.O.A., on Thursday declared Pettijohn had sat in on such a plan in Washington.

Big Film Group Sails

Film people were numerous on the *Ile de France* when it sailed Saturday. Among them were Lilian Bond, Joseph C. Bernard, French producer; Bernard Natan, head of Pathe-Natan; Daniele Parola, French star; Rufus LeMaire and Mrs. LeMaire; Alphonse Nehum and I. Woolfson, British producers, and Dave A. Epstein, Hollywood agent, with Mrs. Epstein.

Plan Two New Branches

The American Federation of Actors will organize two more branches in the middle west, according to Ralph Whitehead. executive secretary. The Chicago branch will get under way today with a mass-meeting, and another will be started in Milwaukee on July 13.

Purely Personal

KATHERINE CARRINGTON and Arthur Schwartz were married Saturday in the home of Lawrence Fertig in Great Neck. Miss Carrington is an actress. Schwartz is the composer of several musical revues and co-worker in such endeavors with Howard Dietz.

Gradwell Sears, now a Kentucky colonel along with the others, is back from Warner conventions and the coast.

Mignon C. Eberhart's mystery novel, "White Cockatoo," has been acquired by Warners.

Charles David, studio manager for Pathe Natan in Paris, is due in from Hollywood momentarily.

Diana Wynyard is off on that English holiday.

Columbia Starting 2nd Meeting Today

(Continued from page 1)

turn over the program to Abe Montague, general sales manager.

Present from the field are:

Chicago—Phil Dunas, manager; C. W. Phillips, G. St. Clair, T. Greenwood, F. Flaherty, A. Blumstein, J. Kaufman, J. Thoma, exploiteer.

Denver—W. C. Ball, manager; J. F. Baker, B. M. Shooker, M. L. Mayer.

Des Maines—Joe Levy, manager; A. P. Ableson, C. C. Brydon, O. L. Donelson.

Detroit—C. H. Shalit, manager; M. E. Cohen, R. F. Cloud, J. M. Mellon, G. L. McCoy.

Indianapolis—M. Solomon, manager; H. Kaufman, W. G. Craig, A. J. Gelman, I. Hanower.

Kansas City—Midwest Division Mgr. Max Roth, division manager; H. Taylor, manager; L. E. Royster, W. Bradfield, C. E. Reynolds, H. S. Stulz.

Los Angeles — Jerome Safron, division manager; W. C. Riter, manager; H. Weinberg, S. Nathanson, H. M. Lentz, N. Newman.

Milwaukee—C. J. Ruby, manager; S. Schuster, M. Weisner, S. R. Chapman, D. E. Pratt.

Minneapolis—B. C. Marcus, manager; I. H. Jacobs, J. Kopald, W. T. Hickey, M. H. Evidon, A. L. Aved.

Omaha—H. J. Chapman. manager; L. C. Hensler, I. M. Weiner, J. Rosenberg.

Portland—J. R. Beale, manager; C. E. Tillman. W. T. Withers.

Salt Lake City—R. C. Hill, manager; C. E. Scott, F. W. Talbot, C. Hawks.

San Francisco—L. E. Tillman. manager; C. F. Harris, P. Weinstein. E. T. Roberts.

Seattle—L. N. Walton. manager; L. V. Lamb, W. K. Beckwith.

St. Louis—C. D. Hill. manager; J. Morphet. E. Dunas, J. Bradford.

St. Louis Board Has Non-Compliance Case

(Continued from page 1)

fore the grievance board tomorrow on a charge of non-compliance. He will be asked to explain why his film supply should not be cut off.

He was ordered recently to discontinue giveaways.

Harry G. Swan, Washington Theatre, the original complainant, made the non-compliance charge.

Hays in Hollywood

HOLLYWOOD, July 8.—Will H. Hays, a stopover at Sullivan, Ind., behind him, is due here today from the east.

"Little Man" Hits $8,250, Minneapolis

MINNEAPOLIS, July 8.—"Little Man, What Now?" ran up a fine $8,250 last week at the Minnesota. This is over par by $750.

"Little Miss Marker" also was a big draw. Playing day and date at the Century here and the Paramount in St. Paul, it took $4,500 at the former and $6,500 at the latter.

"The Thin Man" ran over average $1,000 for a total of $6,500 at the State and was held over.

Minneapolis' six theatres, usually making a $26,000 total got $28,200, while St. Paul's four generally grossing $14,000 took $16,350.

Estimated takings:

Minneapolis:

Week Ending July 5:

"LITTLE MISS MARKER" (Para.)
CENTURY—(1,650), 25c-40c, 7 days. **Gross:** $4,500. (Average, $4,000)

"UPPER WORLD" (Warners)
LYRIC—(1,238), 20c-25c, 7 days. **Gross:** $1,200. (Average, $1,500)

"LITTLE MAN, WHAT NOW?" (Univ.)
MINNESOTA—(4,000), 25c-50c, 7 days. **Gross:** $8,250. (Average, $7,500.)

Week Ending June 29:

"COCKEYED CAVALIERS" (Radio)
RKO ORPHEUM—(2,900), 25c-50c, 7 days. **Gross:** $5,700. (Average, $5,500.)

"THE THIN MAN" (M-G-M)
STATE—(2,300), 25c-40c, 7 days. **Gross:** $6,500. (Average, $5,500)

"SWEDEN, LAND OF VIKINGS" (Foreign)
WORLD—(400), 25c-75c, 7 days. **Gross:** $2,000. (Average, $2,000)

St. Paul:

Week Ending June 29:

"LITTLE MISS MARKER" (Para.)
PARAMOUNT—(2,300), 25c-40c, 7 days. **Gross:** $6,500. (Average, $5,500)

"MANY HAPPY RETURNS" (Para.)
RIVIERA—(1,200), 25c-40c, 7 days. **Gross:** $3,500. (Average, $3,500)

"THE LIFE OF VERGIE WINTERS" (Radio)
RKO ORPHEUM—(2,600), 20c-40c, 4 days. **Gross:** $2,000. (Average for week, $4,000)

"COCKEYED CAVALIERS" (Radio)
RKO ORPHEUM—(2,600), 20c-40c, 3 days. **Gross:** $2,750. (Average for week, $4,000.)

"ALL MEN ARE ENEMIES" (Fox)
TOWER—(1,000), 15c-25c, 4 days. **Gross:** $1,000. (Average, $800)

"CALL IT LUCK" (Fox)
TOWER—(1,000), 15c-25c, 3 days. **Gross:** $600. (Average, $700)

Holiday, Heat Hit All Buffalo Spots

BUFFALO, July 8.—The holiday saw a general exodus from Buffalo, with most of those remaining taking part in parades and community celebrations. That fact, coupled with the heat, spelled below normal business in every theatre. "Sisters Under the Skin" and "Cross Streets" in the Lafayette did best at $6,400, only $100 below average.

Total take was $30,300. Normal is $34,800.

Estimated takings for the week ending July 6:

"BABY TAKES A BOW" (Fox)
BUFFALO—(3,500), 30c-55c, 7 days. Stage: Mills, Gold & Raye; Kay, Katya & Kay; Gilbert Diaz; Gautier's Animated Toy Shop. **Gross:** $12,300. (Average, $14,300)

"HOLLYWOOD PARTY" (M-G-M)
"THE WITCHING HOUR" (Para.)
"THE MAD AGE" (Hollywood)
CENTURY—(3,000), 25c, 7 days. **Gross:** $5,600. (Average $6,000)

"FOG OVER 'FRISCO" (F. N.)
HIPPODROME—(2,100), 25c-40c, 7 days. **Gross:** $6,000. (Average. $8,000)

"SISTERS UNDER THE SKIN" (Col.)
"CROSS STREETS" (First Division)
LAFAYETTE—(3,300), 25c, 7 days. **Gross:** $6,400. (Average, $6,500)

Pretty Bad

John Chapman knows a fellow who knows of a picture so bad that even its trailer is dull.

"Winters" Is Big Holdover Draw in Hub

BOSTON, July 8.—Fair business marked the holiday week, with "The Life of Vergie Winters" attracting general attention in its second week. The $18,000 gross was $2,000 over par.

"Hollywood Party" did well at Loew's State with an $18,000 gross, also up by $2,000. "Here Comes the Groom" took $31,000 at the Metropolitan and "Let's Try Again" grabbed $18,000 at the Boston.

Total first run business was $102,000. Average is $92,000.

Estimated takings for the week ending July 5:

"MURDER ON THE BLACKBOARD" (Radio)
"LET'S TRY AGAIN" (Radio)
BOSTON—(2,900), 25c-50c, 7 days. **Gross:** $18,000. (Average, $16,000)

"FOG OVER FRISCO" (F. N.)
"SPRINGTIME FOR HENRY" (Fox)
FENWAY—(1,800), 30c-50c, 7 days. **Gross:** $8,000. (Average, $9,000)

"LIFE OF VERGIE WINTERS" (Radio)
KEITH'S—(3,500), 30c-50c, 7 days. 2nd week. **Gross:** $18,000. (Average, $16,000)

"HOLLYWOOD PARTY" (M-G-M)
LOEW'S STATE—(3,700), 35c-50c, 7 days. **Gross:** $18,000. (Average, $16,000)

"HERE COMES THE GROOM" (Para.)
METROPOLITAN — (4,350), 30c-65c, 7 days. **Gross:** $31,000. (Average, $28,000)

"FOG OVER FRISCO" (F. N.)
"SPRINGTIME FOR HENRY" (Fox)
PARAMOUNT—(1,800), 30c-50c, 7 days. **Gross:** $9,000. (Average, $9,000)

"Marker" Goes Big In Omaha, $8,250

OMAHA, July 8.—"Little Miss Marker," with "Affairs of a Gentleman" the other half of a dual bill at the Orpheum, flirted with a record, $8,250.

It was the best holiday week in years, despite the heat.

Total first run business was $23,500. Average is $23,300.

Estimated takings:

Week Ending July 3:

"DR. MONICA" (Warners)
PARAMOUNT — (2,900), 25c-35c-40c, 6 days. **Gross:** $7,000. (Average, $7,250)

"MURDER ON THE BLACKBOARD" (Radio)
"BLACK MOON" (Col.)
BRANDEIS—(1,500), 20c-25c-35c, 5 days. **Gross:** $3,000. (Average, $3,800)

Week Ending July 5:

"LITTLE MISS MARKER" (Para.)
"AFFAIRS OF A GENTLEMAN" (Univ.)
ORPHEUM—(3,000), 25c-35c-40c, 7 days. **Gross:** $8,250. (Average, $7,000)

"SHE LEARNED ABOUT SAILORS" (Fox)
WORLD—(2,200), 25c-35c. 7 days. Stage: Smith Varieties. **Gross:** $5,250. (Average, $5,250)

Reopen "Hitler" Picture

BUFFALO, July 8.—Pulled out of the Hollywood after one day, due to protests of the German consul and German societies. "Hitler's Reign of Terror" has reopened in the Palace, lower Main street house which has discarded burlesque for the summer.

"Take a Bow," Stage Revue Phila. Draw

PHILADELPHIA, July 8.—Hot weather and the Catholic ban were too much for Philly last week.

The Fox, aided by a Shirley Temple picture, "Baby Take a Bow," and a local radio revue built by WCAU, got the only business break, taking in $14,500 on the week. This tops par by $2,500. The Boyd and Victoria, downtown S-W houses, close Saturday.

Total first run business was $53,700. Average is $65,300.

Estimated takings for the week ending July 5:

"LITTLE MISS MARKER" (Para.)
ARCADIA—(600), 25c-40c-50c, 7 days, 2nd run. **Gross:** $1,800. (Average, 6 days, $2,400)

"LIFE OF VIRGIE WINTERS" (Radio)
BOYD—(2,400), 40c-55c-65c, 8 days. **Gross:** $10,000. (Average, 6 days, $12,000)

"THE CIRCUS CLOWN" Warners)
EARLE—(2,000), 40c-55c-65c, 6 days. Stage: "Words and Music," revue headed by Lester Cole. **Gross:** $11,500. (Average, $12,000)

"BABY TAKE A BOW" (Fox)
FOX—(3,000), 30c-40c-60c, 6 days. Stage: WCAU's "Made in Philly" radio revue. **Gross:** $14,500. (Average, $12,000)

"THE GREAT FLIRTATION" (Para.)
KARLTON—(1,000), 30c-40c-50c, 6 days **Gross:** $2,200. (Average, $3,500.)

"HOLLYWOOD PARTY" (M-G-M)
STANLEY (3,700), 40c-55c-65c, 6 days. **Gross:** $8,000. (Average, $12,000.)

"HE WAS HER MAN" (Warners)
STANTON—(1,700), 30c-40c-55c, 6 days. **Gross:** $5,700. (Average, $7,000)

"Sinner" and Fight Film Top Portland

PORTLAND, July 8.—Just a trifle better than average week, due in part to continued waterfront strike, increased attendance at dog races and return of warmer weather. Two sets of Baer-Carnera fight pictures did considerable in helping regular features to hold up. "Half a Sinner" at Hamrick's Music Box, plus the fight film, brought in $4,000, or $1,000 over normal.

"Registered Nurse" at the Broadway, with the fight films, secured but $400 over normal of $5,000.

Total first run grosses were $22,600. Average is $22,000.

Estimated takings for the week ending June 27:

"REGISTERED NURSE" (F. N.)
BAER-CARNERA PICTURES
BROADWAY—(1,912), 25c-35c-40c, 7 days. **Gross:** $5,400. (Average, $5,000)

"HALF A SINNER" (Univ.)
BAER-CARNERA PICTURES
HAMRICK'S MUSIC BOX—(2,000), 25c-35c-40c, 7 days. **Gross:** $4,000. (Average, $3,000)

"GLAMOUR" (Univ.)
HAMRICK'S ORIENTAL—(2,040), 25c, 7 days. Stage: Gilmour's Radio Circus. **Gross:** $2,500. (Average, $2,000)

"CURTAIN AT EIGHT"
PANTAGES—(1,700), 15c-25c, 7 days. Stage show. **Gross:** $1,700. (Average, $2,000)

"NOW I'LL TELL" (Fox)
"SPRINGTIME FOR HENRY" (Fox)
PARAMOUNT—(3,008), 25c-35c-40c, 7 days. **Gross:** $4,000. (Average, $5,000)

"LOOKING FOR TROUBLE" (U. A.)
UNITED ARTISTS—(945), 25c-35c-40c, 7 days. **Gross:** $5,000. (Average, $5,000)

Charter Three Concerns

ALBANY, July 8.—Three film companies have just been chartered here. The names of the companies are Clinton-Appolo Theatre Corp; Granar Theatre Corp; Mid-Man Theatre Corp.

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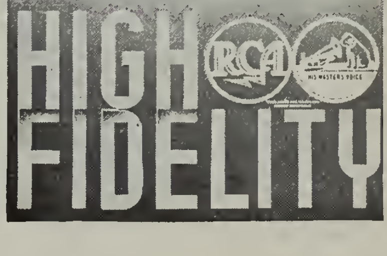

Chicago Gets Catholic O.K. For 52 Films

(*Continued from page* 1)

Catholic people. The same courtesy will be extended other groups which may wish for such a list.

"It is hoped that a bureau of information will be set up in the office of the *New World* which will have a complete file index of all pictures as they are released. It will be the purpose of this bureau to give definite information to all who may ask for information about pictures."

List of Approved Ones

Following are the pictures listed as approved for Catholic patronage:

"Operator 13," "The Last Gentlemen," "The Witching Hour," "Orders Is Orders," "His Greatest Gamble," "I Give My Love," "A Man's Game," "The Loudspeaker," "Honor of the Range," "Baby Takes a Bow," "Murder in the Private Car," "The Poor Rich," "David Harum," "One Is Guilty," "Straightway," "Mad Age," "Keep 'Em Rolling," "Voice in the Night," "Man Trailer," "House of Rothschild," "Wheels of Destiny," "Bulldog Drummond Strikes Back," "Most Precious Thing in Life," "Fighting Ranger," "You're Telling Me," "Circus Clown," "No Greater Glory," "In Love with Life," "Wild Cargo," "Melody in Spring," "Bottoms Up," "Sorrell and Son," "Harold Teen," "The Quitter," "City Limits," "Thirty-Day Princess," "Mystery of Mr. X," "Change of Heart," "Hell Bent for Love," "A Very Honorable Guy," "Ever in My Heart," "The Show-Off," "The Lost Patrol," "I'll Tell the World," "Six of a Kind," "Secret of Blue Room," "The Hell Cat," "Condemned to Death," "The Man from Utah," "Stolen Sweets," "World in Revolt," The Ferocious Pal."

Those "Offensive in Spots"

The following are described as "offensive in spots because they are suggestive, vulgar, sophisticated or lacking in modesty":

"Twenty Million Sweethearts," "Stand Up and Cheer," "Where Sinners Meet," "Double Door," "Here Comes the Groom," "Crime of Helen Stanley," "You Made Me Love You," "Shoot the Works," "Three on a Honeymoon," "Sing and Like It," "This Man Is Mine," "Thin Man," "Let's Try Again," "Constant Nymph," "It Happened One Night," "All Men Are Enemies," "Tarzan and His Mate," "Whirlpool," "Many Happy Returns," "Merry Frinks," "Cockeyed Cavaliers," "Party's Over," "Private Scandal," "Crosby Case." "We're Not Dressing," "Murder on the Blackboard," "Crime Doctor," "Beggars in Ermine," "Viva Villa." "Now I'll Tell," "Heart Song," "Half a Sinner," "Little Miss Marker," "Stingaree." "Song You Gave Me," "Ninth Guest," "Looking for Trouble," "I've Got Your Number," "Come On, Marines," "As the Earth Turns," "Cat and the Fiddle."

The following are labeled indecent and held entirely unfit for Catholic patronage:

"Life of Vergie Winters," "Enlighten Thy Daughter," "Affairs of a Gentleman," "Side Streets," "Tomorrow's Children," "Dr. Monica," "Unknown Blonde," "Ariane," "Narcotic," "Road to Ruin," "Laughing Boy," "Little Man, What Now?" "Madame Du Barry," "Born to Be Bad," "Uncertain Lady," "Girls for Sale," "Manhattan Melodrama," "Wharf Angel." "Merry Wives of Reno," "Notorious but Nice," "Modern Hero," "Trumpet Blows." Finishing School," "Sisters Under the Skin," "Springtime for Henry." "Jimmy the Gent," "He Was Her Man." "Sadie McKee," "Fog Over Frisco," "Playthings of Desire," "It Ain't No Sin."

Holy Name Joins in Chicago Film Moves

Chicago, July 8.—Pledge cards have been distributed in all Catholic churches to the 100,000 members of the Holy Name Societies pledging them not to attend offensive films.

Cardinal Mundelein is sponsoring the local campaign. Active in the work with him are the Most Rev. B. J. Sheil, senior auxiliary bishop, and Rev. F. G. Dineen, S.J., pastor of St. Ignatius Church.

It was announced that upon opening of the fall school term the campaign will be carried on into parochial schools.

Laffoon Pays Tax

Frankfort, Ky., July 8.—Gov. Ruby Laffoon's pet sales tax measure cost him three cents the Fourth of July when he entered a local theatre with two members of his family. They had passes, but the management ruled passholders were liable for payment of the tax. He was stopped by the doorman. He returned to the cashier's window and deposited three cents.

Catholic Editor Is Against Censorship

Declaring that the drive of the Catholic Church against indecent pictures is not for censorship purposes, Rev. Wilfrid Parsons, S.J., editor of *America*, a Catholic weekly, states.

"Quite the contrary. The responsibility does not belong to the state, and we are throwing it back where it belongs, on the producers.

"My general opinion is that those fellows know their business. They have a wonderful way of giving entertainment.

"The one thing that burns me up is their habit of throwing salacious bits into perfectly good movies, like Hervey Allen did in his book, 'Anthony Adverse.' That doesn't help.

"There's no shortage of good pictures if people would only discriminate."

Representatives from 25 Protestant denominations will meet next Friday and distribute pledges asking members to shun salacious films. The move is being backed by the Federal Council of Churches of Christ in America.

Prior to sailing for Europe. Rev. Michael J. Curley. Archbishop of Baltimore, and Rev. Dr. S. Parkes Cadman joined in condemning indecent films. The former stated the movement is growing in momentum in Baltimore while Dr. Cadman said he rejoiced in cooperating with religious elements against indecent films.

Reports Catholic Move Spreading to England

London, July 8.—The Legion of Decency crusade against objectionable pictures has reached across the Atlantic and into England, according to G. A. Atkinson, editor of *The Era*, well-known British amusement weekly.

"The crusade has spread to Britain, where Councils of Action are being formed by Catholics in all centres," he writes. "Down in South Wales, where there are 90,000 Catholics, the movement has been joined by the Nonconformists, who, at a Cardiff meeting, passed a resolution expressing 'complete agreement with the high moral and religious ideals of the Catholic Board'."

Church's Ban Hits All Film In St. Louis

(*Continued from page* 1)

Albany, N. Y.; Augusta, Ga.; Baltimore; Brooklyn; Buffalo; Chicago; Detroit; Pittsburgh; Portland, Me.; Quincy, Ill.; Rochester, N. Y., and Tulsa.

Publishing approved and disapproved lists are Omaha and San Antonio.

Publishing the "white" list only are Cleveland; Davenport, Ia.; and Dubuque, Ia.

Publishing the names of producers, but not titles of pictures are Boston, Fall River and Springfield, Mass.

K. C. Jewish Editor Against Film Curbs

(*Continued from page* 1)

rusal. Having found it impossible to tell the nation what it could drink, the clergy is now getting busy on the project of advising us on what we can see. They will probably meet with the same ultimate success that they did on the drink evil."

Sell Swedish Patents

Washington, July 8. — Swedish rights covering the Petersen & Poulsen sound film patents have been sold to the Swedish Nordisk Tone Film Co., according to a report received by the U. S. Department of Commerce from Assistant Trade Commissioner Paul H. Peterson at Copenhagen.

The purchaser is to be capitalized at 2,000,000 crowns and is planning to build a new studio which, it is said, will be the largest in Scandinavia at Lidingoen, outside of Stockholm.

Houston Spot to Be Store

Houston, July 8.—The Queen, first picture house opened in Houston, will give way to progress Aug. 1 when the building will be remodeled for a department store. Opened in 1915 by E. H. Hulsey of Dallas, the Queen was the first theatre here to play a picture program exclusively. Later it was controlled by S. A. Lynch of Southern Enterprises, and Publix.

Takes Over Trendle House

Detroit, July 8.—Lew Wisper, owner and operator of the Piccadilly, and heavily interested in the Calvin and Mack Uptown, has acquired the Easttown, a deluxe neighborhood house seating 2,500, from Trendle.

The Easttown is a former Publix house reverted to Trendle when he assumed control of the Publix properties in the city.

Para. Signs Neilan

Hollywood, July 8.—Marshall Neilan has been signed to direct the Damon Runyon yarn, "The Lemon Drop Kid" for Paramount. The film will top spot either Lee Tracy or Jack Oakie. Neilan at present is working on the screen play of "Mississippi" in collaboration with Herbert Fields.

Hays Reports Studios Ban Many Scripts

(*Continued from page* 1)

as offensive dialogue and questionable action, running at about 3,000 annually.

Five hundred and sixty-four scripts, books and synopses intended for features and 293 intended for shorts were read by the Hays office during 1933.

Conferences on screen material before production were as follows: Features, 629; shorts, 490. Pictures reviewed during the year amounted to 380 features and 168 shorts. Written opinions were sent to studios in 1,073 cases involving features and 478 cases involving shorts.

Censor's Work Hit By Milwaukee Clubs

Milwaukee, July 8.—Failure of the city censor board to prevent the showing of "crude, unwholesome and morally objectionable" films has been charged by a committee of club women before the Common Council finance committee here. At the same time, the Holy Name Society is inaugurating a campaign to "root out all immoral and objectionable movies."

In Madison, ministers other than the Catholic clergy, have commended Catholics for their Legion of Decency.

Add to Seattle Censors

Seattle, July 8.—An amendment to the city charter which increases the board of censors from five to nine has been passed by the council. Attached to the amendment was a paragraph which gave the board the right to see all theatrical advertising before publication in newspapers if it so desires. The latter part was vetoed by Mayor John F. Dore. A further hearing on this phase is scheduled for a later date.

Wants Censors on Sets

St. Louis, July 8.—Stationing of a censor on every set during the making of films to guarantee against anything objectionable is advocated by Rev. Theodore Graebner of Concordia Seminary, Clayton. Mo. He says he proposes to extend his Civic Union campaign against objectionable films to other cities.

Insiders' Outlook

(*Continued from page* 2)

of it has to do with the code as seen through I.T.O.A. eyes. Trying a case for him is something this publication refuses to go for. There are courts of law, regularly constituted, for that purpose. Apparently Weisman knows that, as witness his intention of filing. When he does, his intentions will emerge from futures into facts. That will make them news. Then they'll be reported in the columns of Motion Picture Daily. .

KANN

Short Subjects

"Burn 'Em Up Barnes"

(Mascot)

If the first two episodes can serve as a criterion of what follows, this serial is to be highly recommended for both kids and adults. It contains all the stock thrill material, but done in an authentic and convincing manner against an automobile race track background.

The story concerns Jack Mulhall, king of dirt track drivers, and his efforts to educate Frankie Darro, younger brother of his pal, who had been killed taking newsreel shots of Mulhall's first race. Lola Lane, a garage owner and holder of the town school bus franchise, supplies the love interest when Mulhall quits the track after his pal's death and becomes her partner. Edwin Maxwell and Jason Robards are trying to buy some land from Miss Lane because, unknown to her, it is rich with oil. Reel two ends with Mulhall chasing two of Maxwell's henchmen who have evidence that would clear him from a trumped up charge of murder. Running time, 15 mins. per episode.

"Speaking of Relations"

(Roach-M-G-M)

Hollywood, July 8.—Irvin S. Cobb's first film hardly rises to the occasion on the comedy graph chart. It is slow and below par on comic situations and laughs.

Cobb is a retired river steam boat captain, who has a tough time slipping away from Kathryn Clare Ward, his unmarried sister, for a fishing trip with his crony, Frank Darien. Benny Baker, a practical joking nephew, shows up to make himself a nuisance and succeeds. While fishing, Benny frames Cobb with the game warden, which costs Cobb his bank roll. Trying to get even, the sister is pushed into the pond by mistake for a windup. Hal Yates directed. Running time, 18 mins.

"Young Eagles"

(Romance Product)

This serial is a humdinger for kids and will surely go over with family audiences. Its main theme is the adventures of a brace of Boy Scouts who win a flying trip to South America. The plane is wrecked in the jungle and a series of hair-raising escapes from the clutches of wild beasts ensue.

There's plenty of action in this chapter play and the youngsters will want to come back for more each week. It's clean and supports the tradition of the scout. Bobby Ford and Jim Adams, newcomers, are the adventurers. The first chapter runs 28 minutes, but the following series run about 20 minutes each.

Borg Quits Post

Kansas City, July 8.—Russell C. Borg has resigned as manager of Consolidated Film Distributors, independent exchange. J. Erwin Dodson, formerly National Screen Service representative, has been added to the Consolidated sales staff.

MOTION PICTURE DAILY'S HOLLYWOOD PREVIEW

"Notorious Sophie Lang"

(Paramount)

Hollywood, July 8.—A fast-moving crook farce presenting Gertrude Michael in her first big role in the title part. Aiding are Paul Cavanagh, Arthur Byron, Alison Skipworth, Leon Errol and several others contributing to a well-balanced cast which interprets a series of clever situations sufficient to hold the interest.

Although the crook element is not vindicated, the average audience probably will not criticize on this score because of the farcical intent to interest for clean-cut entertainment. The story centers around a battle of wits between two clever crooks, namely Miss Michael and Cavanagh, and the New York police department with plenty of subtle and outright comedy intermingled to keep the proceedings from becoming too serious.

It moves fast with surprises in every sequence. The big city background and upper social stratum allow artistic background, good photography and production values.

Able screen treatment of Anthony Veiller, plus expert direction of Ralph Murphy and competent assistance of the entire cast contribute toward the whole.

Designed solely for laughs with no intentions of going serious, this seems headed to please various types of audiences. Running time, 72 minutes.

"Shoot Works" Denver Smash With $7,000

Denver, July 8.—"Shoot the Works" overcame the competition of night baseball, amusement parks and the Elitch Stock Co. last week. The take at the Denham was $7,000, up by $3,000, and the feature was held over for nine days.

"Operator 13" had a fair $5,500 at the Orpheum.

Total first run business was $21,750. Average is $20,500.

Estimated takings for the week ending July 5:

"WHERE SINNERS MEET" (Radio)
ALADDIN—(1.500), 25c-35c-50c, 7 days. **Gross:** $2.250. (Average, $2.500)
"SHOOT THE WORKS" (Para.)
DENHAM—(1,500), 25c-40c, 7 days. **Gross:** $7,000. (Average, $4,000)
"STINGAREE" (Radio)
DENVER—(2,500), 25c-35c-50c, 7 days. **Gross:** $5,000. (Average, $6,000)
"OPERATOR 13" (M-G-M)
ORPHEUM—(2,600), 25c-35c-50c, 7 days. **Gross:** $5,500. (Average, $6,000)
"WHIRLPOOL" (Col.)
"SISTERS UNDER THE SKIN" (Col.)
PARAMOUNT—(2,000), 25c-40c, 7 days. **Gross:** $2.000. (Average, $2,000)

Royalties Are Taxable

Albany, July 8.—Income taxes on copyright royalties must be paid to the state by authors and playwrights, according to the Appellate Court, which so ruled on a test case of Elmer Rice.

The court held unanimously that such taxes may be retroactively on copyright royalties.

Bomb Minneapolis House

Minneapolis, July 8.—The Cozy Theatre, north side neighborhood house, has been bombed. A woman in the next building was hurled from bed and glass showered nearby structures.

"Winters" Is Cleveland Hit Despite Ban

Cleveland, July 8.—"Vergie Winters" played to the biggest week's business, $14,000, the RKO Palace has known since it adopted a straight picture policy, in spite of excessive heat and the fact that it is on the black list of the Catholic Legion of Decency and was held up for a time by the Ohio censors.

It is the first picture to be held over by the Palace.

Business was dull elsewhere. Total first run business was $33,600. Average is $34,000.

Estimated takings for the week ending July 6:

"LITTLE MAN, WHAT NOW?" (Univ.)
ALLEN—(3,300), 20c-30c-40c, 7 days. **Gross:** $3,500. (Average, $3,000)
"MERRY WIVES OF RENO" (Warners)
WARNERS' HIPPODROME—(3,800), 30c-35c-44c, 7 days. **Gross:** $3,500. (Average, $5,000)
"SISTERS UNDER THE SKIN" (Col.)
"NOTORIOUS BUT NICE" (Chesterfield)
WARNERS' LAKE—(800), 30c-40c, 7 days. **Gross:** $1,500. (Average, $2,000)
"LIFE OF VERGIE WINTERS" (Radio)
RKO PALACE—(3,100), 30c-35c-44c, 7 days. **Gross:** $14,000. (Average, $10,000)
"MANY HAPPY RETURNS" (Para.)
LOEW'S STATE—(3,400), 30c-35c-44c, 7 days. **Gross:** $8,500. (Average, $10,000)
"THIRTY DAY PRINCESS" (Para.)
"LAUGHING AT LIFE" (Mascot)
LOEW'S STILLMAN—(1,900), 20c-30c-40c. 7 days. **Gross:** $3,000. (Average, $4,000)

"Thin Man" Does $39,800

"The Thin Man" at the Capitol garnered $39,800 in its first week and will probably do around $30,000 in its second closing Thursday night.

Miller's Father Ill

Chicago, July 8.—Jack Miller has left for the east to visit his 80-year-old father who is in declining health at his home in Westville, N. Y.

Variety Club Chatter

Buffalo

Buffalo, July 8.—Ted O'Shea, M-G-M manager, is quite the golfer among local club members. After carding a neat 89 for a 65 net score to win first prize in the Cal Wadley sweepstakes at Transit-Valley, he came back next day to win the first leg on the Vincent R. McFaul Cup for low match score in the Variety Club tournament at Willowdale.

Joseph Schuchert, Jr., won the first leg on the A. Charles Hayman Cup for low gross score in the tournament. Hercules N. Webster, chairman of the committee for the day's outing, won the driving contest. Herbert T. Silverberg won the tennis trophy.

More than 100 participated in golf, tennis and quoits and more than 125 guests attended the dinner in the evening. Trophies were presented by Ganson Depew, president of the Buffalo Chamber of Commerce and of the Western New York District Golf Ass'n.

Cincinnati

Cincinnati, July 8.—A buffet luncheon in and on the local club were served to members Monday evening, the purpose being a general get-together as well as to discuss plans for the picnic which the tent expects to hold this month. Several places are under consideration, but a definite decision as to location has not yet been reached.

Harry Sachs, member of Tent No. 6, was among those present around the local club last week.

Barker Ervin Bock, manager of the closed RKO Capitol, has been transferred to the RKO Paramount as assistant to Joe Goetz for the present. This is Bock's former stamping ground.

Washington

Washington, July 8.—The weekly luncheons will be discontinued during August.

"Kings for the Day" at the last luncheon were J. William Cleveland and Nat Stiefel, who presented Tenor James Melton, then appearing on the Earle Theatre program, for the vocal interludes.

While the activities of the tent for August are undecided, it is expected that picnics or other divertissements will be substituted. Canvasman A. Julian Brylawski issued the invitation to the tent to foregather at his cottage on the Wicomico River in Maryland on Aug. 20.

New Warner Team

Hollywood, July 8.—Warners will pair Frank McHugh with Joe E. Brown in "Six Day Bike Rider." The picture is slated to get under way in the next ten days with Lloyd Bacon directing.

C. E. A. Talks Reel

London, July 8.—The C. E. A. (exhibitors' association) should enter the newsreel field on its own, according to opinions expressed by several provincial members.

THE GREATEST WORD-OF-MOUTH PICTURE IN A DECADE

DWIN AREWE'S

ARE WE CIVILIZED?

THE PRESS!
THE RADIO!
THE PUBLIC!
THE PULPIT!

LEADERS IN ALL WALKS OF LIFE ACCLAIM THIS MIGHTY EPIC!

WALTER WINCHEL on national coast-to-coast radio hook-up said: "'ARE WE CIVILIZED' MAKES THE MOST STIRRING PLEA FOR PEACE, HEARD AND SEEN, YET."

"If I were President of these United States I would endeavor to have a law passed compelling every man, woman and child to see 'ARE WE CIVILIZED.'"
—*Ed Wynn*

"I congratulate you and regard 'ARE WE CIVILIZED' as one of the most outstanding pictures I have ever seen."
—J. F. T. O'Connor, Controller U. S. Currency.

"VOICE OF EXPERIENCE" over national radio hook-up said: "I watched my old friend William Farnum enact the greatest characterization of his entire career . . . I hope you will see this picture for yourselves."

"I saw, and I hope many of you will see, the movie entitled 'ARE WE CIVILIZED' —excerpt from sermon in St. Bartholomew's Church, New York by Rev. Geo. Paul T. Sargent, D. D.

"May I recommend 'ARE WE CIVILIZED' to every father, mother, yes, to every teacher and to every pupil of our vast school system."—*Maxwell Ross, Chairman, Allied Local School Boards, Brooklyn, N. Y.*

"Has great mass appeal . . . fine direction . . . the film is going to be eaten up in the small towns."—*Chick Lewis, Showmen's Round Table.*

"Timely appeal to reason . . . it is skillfully made, powerfully acted by William Farnum and it features some stunning, spectacular scenes — *New York Mirror*

RASPIN PRODUCTIONS, INC., RKO BUILDING, NEW YORK, N. Y.

The Leading
Daily
Newspaper
of the
Motion
Picture
Industry

MOTION PICTURE DAILY

Alert,
Intelligent
and
Faithful
Service to
the Industry
in All
Branches

VOL. 36. NO. 7 NEW YORK, TUESDAY, JULY 10, 1934 TEN CENTS

Para. Awaits Moves Under Changed Law

Trustees' Appointments Up to Court Today

Additional steps which are expected to carry Paramount further along the road to reorganization are anticipated as a follow of the naming today of permanent trustees for the company under the new bankruptcy law.

The hearing is slated for this morning before Federal Judge Alfred C. Coxe and may result in retirement from the Paramount trusteeship of Charles E. Richardson, who has been serving with Eugene W. Leake and Charles D. Hilles. Under the bankruptcy laws as now constituted, the

(Continued on page 6)

"U" Sets 10 Films In the Music Hall

Universal yesterday signed its first big product contract with the same theatre which took its product in New York last year, the Music Hall. The deal was arranged between James R. Grainger and F. J. A. McCarthy for Universal, and W. G. Van Schmus for the Music Hall. It provides that in the next 52 playing weeks, New York's "ace" picture house will show

(Continued on page 7)

Walsh's Para. Deal On Percentage Basis

George Walsh, by a new deal just concluded, becomes a Paramount operating associate with a percentage of the net and a guaranteed salary with approximately 14 upstate theatres under his wing. Long with the Comerford circuit, headquartering in Scranton, Walsh has been running the string in which he now acquires a profit interest for many months.

He will buy his own film, arrange his own bookings and run the show out of Poughkeepsie under the decentralization formula applied to this string of houses which are located in Newburgh, Poughkeepsie, Peekskill, Middletown, Syracuse and Glens Falls.

J. J. Franklin Set For Hawaii Circuit

San Francisco, July 9.—J. J. Franklin, operating as Franklin Theatrical Enterprises of Los Angeles, plans to build a chain of theatres in

(Continued on page 8)

Churches Here To Talk With Film Leaders

Decide on Move Before Starting Campaign

Conferences with producers are to be sought by the three main divisions of New York churches—Catholic, Protestant and Jewish—before starting a clean film drive here similar to those now in progress throughout the country. This was decided yesterday at a luncheon conference at Holy Cross rectory.

Present at the luncheon were: Mgr. Michael J. Lavelle, vicar-general of the Archdiocesse of New York, and Rev. Joseph A. McCaffrey, rector of

(Continued on page 4)

Hays Sees a Gain In Film Criticism

Hollywood, July 9.—That "the American public and the picture industry have everything to gain from every sincere movement which works for the proper selection of picture entertainment" was the assertion made by Will H. Hays upon his arrival here today.

"Current criticism," said the M.P.P.D.A. head, "has the very significant value of encouraging the support

(Continued on page 4)

Critique

Hollywood, July 9.—Asked for comment on how he enjoyed his trip to Honolulu, Harry Brand said:

"I give it two and one-half stars for pleasure and four stars for expense."

Phila. Groups To Confer on Closing Plan

Philadelphia, July 9.—The two rival independent theatremen's groups here, the M.P.T.O. and the Independent Exhibitors' Protective Ass'n, today appointed committees to confer with each other and with Warners on the proposal to close local houses until the church's film boycott is modified.

After the installation of Charles Segall as its new president the M.P.T.O. launched into a discussion of the

(Continued on page 4)

Breen Not an NRA Man—Rosenblatt

Washington, July 9.—Hollywood stories indicating that Joseph I. Breen's job as official censor for films produced by Hays association mem-

(Continued on page 4)

For Code Approved Films

Hollywood, July 9.—On and after July 15, when the strengthened self-regulation formula of Hays member companies swings into effect, the following certificate will be issued to producers whose pictures meet and pass code requirements under Joseph I Breen:

Certificate No..........

THIS IS TO CERTIFY THAT..........................
(name of Producer)

in the production of....................................
(title of picture)

has complied with the self-imposed regulations of the industry as administered by the Production Code Administration of the Motion Picture Producers & Distributors of America, Inc., to maintain right standards in the production of motion pictures as a form of entertainment.

IN WITNESS WHEREOF, I, JOSEPH I. BREEN, Director of the Production Code Administration of the Motion Picture Producers & Distributors of America, Inc., have hereunto set my hand and caused the seal of the Production Code Administration to be hereunto affixed this .... days of 193...

...,

(SEAL) Director, Production Code Administration.

Code-approved pictures will be entitled to carry this on prints with the seal of the M.P.P.D.A. super-imposed:

This picture approved by the Production Code Administration of the Motion Picture Producers and Distributors of America, Inc.

Certificate No. ....

Loew's Seeks Third of Shea Circuit Stock

Shea Estate, Paramount Expected to Split

Loew's, Inc., is negotiating and expects to close shortly for a one-third interest in the operating circuit developed by the late Michael Shea in Buffalo, Niagara Falls and North Tonawanda.

Now owned jointly by the Shea estate and Paramount Publix, it is understood both groups will relinquish sufficient stock to aggregate the one-third which the Loew circuit is about to annex.

Operation, it is expected, will continue as heretofore in the hands of Vincent R. McFaul, general manager of the circuit, which recently switched

(Continued on page 6)

Report Skouras as Operator for Loew

Reports were current yesterday that with the anticipated court approval of the foreclosure sale of Fox Metropolitan Playhouses to Loew's and Warners a matter of routine now, George P. Skouras will operate the Long Island houses for Loew's when they are taken over.

It already has been brought out in court that Louis Frisch and Sam Rinzler have been offered posts by

(Continued on page 6)

Says Columbia Not To Hamper Theatres

Chicago, July 9.—Columbia is definitely reconciled to the idea the exhibitor must be allowed to run his own business, said Jack Cohn today at the opening of the company's western sales meeting at the Medinah Club.

"While we do not believe in 10-cent admissions, still if that is what the

(Continued on page 8)

Report Code Boards Are Delaying Sales

Tardiness of local boards in getting through new clearance and zoning schedules is reported holding up new season deals.

As a result a joint meeting of the clearance and zoning and grievance committees, consisting of George J. Schaefer, R. H. Cochrane, Charles L. O'Reilly, and Harold S. Bareford will

(Continued on page 6)

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Mascot Distribution Lineup Is Completed

Mascot Pictures Corp. has set complete distribution for 10 features and two specials for 1934-35 release, Nat Levine announced yesterday.

Twenty-three exchanges located in key cities will handle the pictures. They are:

Excellent, Detroit; Far West, Exchanges, Los Angeles and San Francisco; Gold Medal, Philadelphia and Washington; Hollywood, Boston; B. N. Judell, Inc., Chicago, St. Louis and Indianapolis; Independent, Dallas; Home State, Little Rock, Ark.; A. C. Bormberg Attractions, Atlana; Majesic, Milwaukee; Majestic, New York; Majestic, Seattle and Portland; Midwest, Kansas City and Omaha; Monarch, Pittsburgh; Standard, Buffalo and Albany; J. S. Jossey, Cleveland and Cincinnati; Monogram, Oklahoma City; Distinctive, Denver and Salt Lake City, and Celebrated, Minneapolis.

Knight Captures Award

R. E. ("Fuzzy") Knight, manager of the Fairmont, Fairmont, West Va., is winner of the June Quigley Award, the sixth in the series. His campaign on "20 Million Sweethearts" took top honors. Twelve honorable mentions have also been decided upon by judges of the Managers' Round Table Club of the *Motion Picture Herald.*

Farrow Made Director

Hollywood, July 9.—John Farrow, formerly a writer, has been made a full-fledged director at M-G-M. His first effort will be a two-reel musical, "Beauty and Truth," which Harry Rapf is producing.

Insiders' Outlook

Mr. Nicholas M. Schenck:
M-G-M Corp.,
New York City.

Dear Mr. Schenck:

Your studio previewed "Born to Be Kissed" in Hollywood over the week-end. What Motion Picture Daily's coast representative thought of it, you will find elsewhere in this edition this morning. Probably you know a good deal about the story and the picture anyway. . . .

In it, as the wires conveyed the story, Jean Harlow decides to play with wealth and fire, but her object is only matrimony. Lewis Stone loses fortune, standing and his life at his own hands. Next in line is Lionel Barrymore, but Franchot Tone, as Barrymore's son, beats his pater to the punch. Barrymore doesn't like the match, frames Miss Harlow with an unknown man, but Jean gets back at him in the semi-nude. It's all done with photographs and we aren't punning. . . . It is the opinion of this publication's reviewer that the picture "has its moments but its selling demands thoughtful, tactful exploitation at this time."

It is our opinion it would be worth your own time to call for a print of "Born to Be Kissed" when it arrives from the studio, then weigh what elements the picture contains against the church campaign raging from coast to coast for a personal determination of a course to be pursued in this particular instance and at this particularly crucial time. . . .

▼ ▼

A question: Having dished out red meat, plenty peppery for some time now, what will Hollywood do under production code administration as reinforced to meet the church clamor? An answer and a fear combined in one: It stands in danger (1) of swinging its pendulum completely the other way, (2) of turning out namby-pamby product lacking in spine and in strength. Confidential dope from Hollywood indicates studios are sidetracking any and all properties that seem loaded. The mistaken idea that everything has to be sunshine is just as fallacious as the theory that everything has to be muddied. There is a middle ground somewhere in the picture. This is what Hollywood and its production brains are now called upon to find. . . .

▼

Little doubt in anyone's mind now about the future control of Fox Met. The Loew-Warner bid and all of the obstacles thrown in its path are virtually overcome. Which means that the deal will go through momentarily. New twist is expectation George Skouras will get Long Island under the new ownership and Frisch and Rinzler, otherwise known as Randforce, will stay where they are in Brooklyn. Just how the neighborhood first run situation will change is difficult to forecast at this time. A realignment seems inevitable. . . .

▼

Unconfirmed, but around the town with a limited circulation: That Loew's, aside from an occasional, but never really serious tilt with RKO on circuit operation a la New York style, is definitely peeved this time over the latter's expansion. Not because RKO has seen fit to step out, but because annexed houses are regarded as competitive with Loew theatres. The rebuttal will take the obvious form of gobbling up houses competitive with RKO. . . . Sidney Kent was reported the head man in a big downtown meeting yesterday. . . .

KANN

Issues on Big Board Slump

	High	Low	Close	Net Change	Sales
Columbia Pictures	28⅝	28½	28½	—1½	200
Consolidated Film Industries, pfd.	14	14	14	.....	300
Eastman Kodak	98½	97¼	97¼	—1¼	300
Fox Film "A"	13⅛	12⅞	13	.....	500
Loew's, Inc.	28	26½	26⅞	—1⅜	2,500
Loew's, Inc., pfd.	90⅞	90⅞	90⅞	— ⅛	100
M-G-M, pfd.	25¾	25	25	—1	200
Paramount Publix, cts.	4⅛	3½	3½	— ⅝	1,500
Pathe Exchange	2¼	2⅛	2⅛	— ⅛	200
Pathe Exchange "A"	21	20⅛	20⅛	—1¼	100
RKO	2¼	2¼	2¼	.....	100
Warner Bros.	5⅛	4⅞	5	— ⅛	900
Warner Bros., pfd.	20	20	20	—3½	100

Technicolor Off ¾ on Curb

	High	Low	Close	Net Change	Sales
Technicolor	13⅛	12¾	12¾	— ¾	100

Warner Bonds Drop Point

	High	Low	Close	Net Change	Sales
General Theatre Equipment 6s '40	7¾	7¾	7¾	+ ⅛	3
Keith B. F. 6s '46	68½	68½	68½	— ⅜	32
Loew's 6s '41, ww deb rights	100½	100½	100½	.....	5
Paramount F. L. 6s '47	49	49	49	.....	5
Paramount Publix 5½s '50	49	48¾	48¾	.....	32
Warner Bros. 6s '39, wd	55	54⅝	55	—1	29

Purely Personal

Maria Gambarelli is making a tour of mid-western cities following her engagement at Grauman's Chinese. Her next opening date is the RKO Palace, Chicago.

Richard Barthelmess and Mrs. Barthelmess expect to return to Hollywood next instead of taking their planned European cruise.

Joe Lee says now that he has gotten over his throat operation successfully he's geared for high fidelity sound.

Winifred Law, stage player, has been signed by Educational to do a comedy with Tom Patricola and Buster West at the Eastern Service Studio.

Patsy Kelly flies to New York at the end of the week. This will be her first vacation from Hollywood in a year.

Sam Hammer of the Capitol publicity staff is going to Lock Sheldrake for his vacation.

Charles L. Clifford has sold his original story, "Soldier Woman," to Paramount.

Percy Phillipson is now sojourning in the countryside adjacent to Port Chester.

Herman Zohbel and Herbert J. Yates combined for lunch at the Tavern yesterday.

Hal Horne apparently did not vacation far afield. He was back on the job yesterday.

Charles Moses is now a benedict. A surprise is in store for him tomorrow night.

Louis Nizer looked swell in the cream colored suit yesterday.

Neil Agnew and Charles Reagan are due from the coast today.

Irving Lesser is vacationing via an auto tour.

Isabel Jewel, M-G-M player, arrives from Hollywood today.

Roger Ferri has gone to the coast.

"Nell Gwyn" to Be Previewed Tonight

"Nell Gwyn," produced by British and Dominions and to be released here by United Artists, will be previewed at the Astor Theatre at 9 P. M. tonight. Herbert Wilcox, who directed, is acting as host. Anna Neagle, last seen in this country in "Bitter Sweet," plays the title role with Cedric Hardwicke as Charles II.

The showing has assumed the proportions of the event of the week in the New York trade, the following having been furnished their tickets with assurances many of them proposed attending: Sidney R. Kent, David and Arthur Loew, James R. Grainger, Nicholas M. Schenck, Harry M. Goetz, Robert F. Sisk, Lee A. Ochs and Harry Brandt.

J. E. M. Carbell, acting British consul general, will attend.

Researchers Delay Meet

A meeting scheduled for yesterday at the M. P. Research Council to elect a successor to Mrs. August Belmont, who recently resigned as president, has been postponed indefinitely.

ALONG CAME SALLY
"CICELY" (Cicely Courtneidge)
Sam Hardy

CHANNEL CROSSING
Constance Cummings
Matheson Lang

ORDERS IS ORDERS
James Gleason
Charlotte Greenwood

FRIDAY THE 13TH
Jessie Matthews
Edmund Gwenn

JUDGE FOR YOURSELF!

GAUMONT BRITISH is definitely committed to the policy that exhibitors should be accorded the privilege of seeing all product before buying. We are selling pictures, *not* promises.

Another policy of outstanding importance to exhibitors is based on our firm conviction that pictures of the highest entertainment quality can be produced without resort to suggestive action or dialogue; that wit and humor, tense drama and convincing realism can be achieved without sacrifice of decency.

We are now prepared to screen any, or all of our "SELECT TWELVE" group, for exhibitors who are desirous of presenting clean pictures with one hundred per cent audience and box-office appeal.

● ● ●

THE MURDER PARTY
Leslie Banks
Muriel Aked

DICK TURPIN (OUTLAW)
Victor McLaglen
Jane Carr

SLEEPING CAR
Madeleine Carroll
Ivor Novello

STRIKE!
Leslie Banks
Carol Goodner

THE WOMAN IN COMMAND
"CICELY" (Cicely Courtneidge)
Edward Everett Horton

JUST SMITH
Tom Walls
Anne Grey

WHAT! A BOY?
Edward Everett Horton
Heather Thatcher

THE ARSON RING
Leslie Banks
Anne Grey

THE SELECT TWELVE 12

Gaumont British
Picture Corporation of America
1600 Broadway, New York City

Churches Here To Talk With Film Leaders

(Continued from page 1)

Holy Cross Church; Rev. Dr. Walter M. Howlett, representing the Greater New York Federation of Churches; Rev. Dr. Sidney E. Goldstein, representing the New York Board of Jewish Ministers and the Central Conference of American Rabbis; Rev. Dr. Rosenbloom, and former U. S. District Attorney Arthur W. Tuttle, acting as legal representative of the church federation.

Asserting that under Will Hays' leadership the industry had fallen low, Father McCaffrey demanded the resignation of the M. P. P. D. A. president.

Aims of the Legion of Decency were discussed. Those present agreed upon the necessity of a film cleanup, but it was decided that before details of a campaign are worked out it would be well to confer with all the principal producers and get their attitude toward the movement. It is expected that this meeting, if held, will take place within the next few days, as the conferees expect to hold another session next week.

To Appeal to Investors

"What we intend to do is talk directly to the men who have their money invested in the picture business," said Father McCaffrey yesterday. "These are the men who can say yes or no."

At the Hays office last night no comment was forthcoming pending receipt of direct word of the proposed request. Hays is on the coast.

Whether the committee's invitation will be sent through the Hays office or directly to individual producers was not stated.

In the meantime plans are going ahead for a conference of national leaders of Protestantism called by Dr. Worth M. Toppey of the Federal Council of Churches of Christ in America. This conference will be held Friday.

The purpose of this gathering is to discuss a form of pledge to be given to church members and details of plans to bring the campaign into contact with the various social service organizations of the Protestant churches, women's organizations, young people's groups and the Y.M.C.A. and the Y.W.C.A.

Kansas Bishop Extends Decency Legion Scope

CONCORDIA, Kan., July 9.—All "immoral" amusements and reading matter are included in the Legion of Decency call issued by Bishop Francis J. Tief of the Concordia Catholic diocese, which embraces the large northwest Kansas area.

Bishop Tief directed the parish priests to remind their people of "their solemn duty not only to protest against this diabolical destroyer of Christian virtue (meaning films), but also to abstain from all immoral and dangerous amusements."

The bishop asked the priests to obtain the cooperation of the parish organizations and student sodalities in the movement and urged that representative lay committees be formed "and ready at all times to cooperate with their pastors."

Page the Dionnes

Chicago, July 9. — Jerome Safron, west coast division manager for Columbia, was notified at the convention here today that he had just become the father of twin girls, one weighing five pounds and other five pounds, six ounces.

He is holding up well.

The pledge of the Legion of Decency, declared the bishop, "is positive evidence of our indignation and a solemn promise to abstain not merely from all evil motion pictures, but from immoral books, magazines and plays as well. The patron of these pernicious agencies has a heavy responsibility. His money makes their continuance possible. Only motion pictures and amusements recommended by Catholic organizations should be frequented."

Priests in the diocese were asked to report the number of pledges signed, the results of the campaign and the reactions of the local exhibitors.

Kansas City Won't Send Church Leaders Here

KANSAS CITY, July 9.—Local Protestant churches will not be represented at the conference in New York Friday called by the Federal Council of Churches to organize for a "clean film" campaign. Rev. Irvin E. Deer, general secretary of the Kansas City Council of Churches, said the organization had no funds to send delegates, but the proposals made at the New York meeting would be carefully considered by the local organizations.

Sees Remedy in Lauding The Good, Banning Bad

Declaring the screen "is definitely not as degenerate as our drama, our art and our letters, but its demoralization is more dangerous to the public morals because the screen is more intimately associated with the home life of our people," an editorial, attributed to William Randolph Hearst and published in his newspapers through the country, declares reformation will come by approving good pictures and condemning the bad. The comment maintains "it is unwise for the churches to condemn all pictures."

Church Leaders Hail Hearst Film Editorial

CHICAGO, July 9.—Church leaders today were extensively quoted in the *Herald and Examiner* in commendation of William Randolph Hearst's editorial declaring for clean films which appeared in the Hearst press yesterday.

Cardinal Mundelein commented as follows: "I am indeed pleased to see Mr. Hearst's editorial on the fight being waged for clean pictures. Chicago is fortunate in having a press solidly backing the churches' campaign to make pictures a wholesome source of entertainment and education."

Others who were quoted in a similar vein were the Rev. Timothy Rowan, editor of *The New World*, Catholic organ; the Rev. Dr. George Craig Stewart, Episcopal bishop; the Rev. George W. Dixon, vice-president of the Chicago Federation of Churches; the Rev. Dr. Charles Meade, Methodist bishop of Kansas City and Uldine Utley, girl evangelist.

Last night pledge cards were distributed at 410 Catholic churches in a move to enroll 1,250,000 locally in the campaign of the Legion of Decency.

Four hundred delegates from Catholic universities attending the convention of the Sodality of Our Lady at the Palmer House here yesterday went on record to advance the church drive on unclean films and passed a resolution calling attention to indecent publications and urging Catholics to band together to suppress them and support the Catholic literary revival.

Breen Not an NRA Man—Rosenblatt

(Continued from page 1)

bers has some official connection with the National Recovery Administration elicited a statement today that he has no connection with the government in any capacity.

In an official statement, Division Administrator Sol A. Rosenblatt referred to a Hollywood dispatch of July 7, which, he said, "implied that the NRA was involved in a proposed plan of censorship of motion picture films."

Any such statement, he declared, is "absolutely incorrect."

"The Hollywood dispatch stated that Joseph I. Breen made an announcement of self regulation and censorship of motion pictures by the film industry 'after his appointment as NRA code administrator'," Rosenblatt continued. "Mr. Breen has no connection whatever with the NRA. Any reference in this, or other dispatches, to a 'producers code' is not to the code of fair competition for the motion picture industry, but rather to the code of ethics formulated by and for members of the M.P.P.D.A., which has no connection with the NRA."

Hays Sees a Gain In Film Criticism

(Continued from page 1)

of good pictures. Product to be released this fall will abundantly deserve this discriminating support. Its great scope and variety will include major and minor classics of literature, musicals, historical romances, rare fantasy, human interest stories dealing with every-day life and pictures that will reflect the great social trends of the day."

Will Rogers to Tour

HOLLYWOOD, July 9. — Following completion of "Judge Priest," Will Rogers will take his two sons, Will, Jr., and Jimmy, for a two months' tour of Europe, leaving here July 28 by way of Honolulu. Mrs. Rogers will go as far as China and return. Mary Rogers will continue her work in stock in the east.

Reports $209,225 Loss

BOSTON, July 9.—Keith Memorial Theatre Corp., controlled by RKO through Greater N. Y. Vaudeville Theatres Corp., reports a loss of $209,225 for 1933, after deducting expenses and other charges.

Phila. Groups To Confer on Closing Plan

(Continued from page 1)

boycott. Exhibitors were divided on the question of shutting down, with the majority in favor of arriving at a conciliation with the church forces.

M. E. Comerford expressed the opinion that the matter would right itself soon and definitely opposed the idea of closing. Harry Schwable said exhibitors could get a whole lot further cooperating with the churches rather than combating them. He asserted any closings should be in direct cooperation with the church, instead of being carried out as measures antagonistic to the ecclesiastics.

Segall declared exhibitors "victims of circumstances, convicted without a hearing."

"We are innocent," he asserted, "but we must bear the burden of the boycott. The churches have not condemned pictures in this territory but have condemned us."

Committee Is Named

Segall called for a show of hands on the closing sentiment, but was interrupted by further discussion from the floor, which led to the formation of a committee to confer with the Independent Exhibitors' Protective Ass'n. Lewen Pizor was made chairman. Others on the committee are Luke Green, Abe Sablosky, Michael Egnal and Michael Lessy.

The meeting appointed also a committee to confer with operators and set meeting days for the M.P.T.O. and its board of managers.

At the Independent Exhibitors' Protective Ass'n meeting Morris Wax, president, asserted he told Cardinal Dougherty and Mgr. Lamb that the independents were sympathetic to the attempt to raise the moral tone of the screen but also told them the independents were not responsible for immoral films because of the block booking system. He reported the hope had been expressed by Mgr. Lamb that the church ban would not last long.

Named to the committee which is to confer with the M.P.T.O. and Warners were C. Stamper, Dave Barrist, Wax, George Gravenstein, Al Fisher, Harry Fried, Herbert Elliott, Clarence Hecksher and William Butler. Also appointed was a committee to investigate all non-theatrical bookings and to protest to the director of public safety on the unfair competition offered by taprooms.

The meeting protested against RKO-Radio on the basis of a rumor that the company planned to offer two 50 per cent films on its new product list.

Fox Westwood Dark

HOLLYWOOD, July 9.—The Fox Westwood studio is dark. No pictures are in work or slated for at least 10 days. The first to snap the studio out of its brief lethargy will be "Marie Gallante," top-spotting Spencer Tracy and Kitty Gillian. Henry King will direct.

The Wurtzel unit on Western Ave. continues active with two features and one Spanish production before the cameras.

A NEW AND SURPRISING

COLLEEN MOORE

in

The First Talking Picture of

The Great American Classic — By Nathaniel Hawthorne

The SCARLET LETTER

With

HARDIE ALBRIGHT H. B. WALTHALL—WM. FARNUM VIRGINIA HOWELL

ALAN HALE — CORA SUE COLLINS — WM. KENT

rected by Robert Vignola

pervised by Larry Darmour

MILLIONS HAVE THRILLED TO ITS ABSORBING—DRAMA!

THE grandeur, the sublimity, the heart-rending pathos, the romance and beauty of this immortal story make it the author's masterpiece. . . . During three generations readers throughout the world thrilled to the terrible ordeal of sweet and gentle Hester Prynne . . . bravely wearing the shameful stigma over an aching heart . . . rather than reveal the name of the man she loved. . . . He—forced to agonizing silence . . . finding relief by searing his guilty breast with a livid, scarlet letter "A".

MAJESTIC GUARANTEES 12 For 1934-35

FINISHED: "THE SCARLET LETTER"—A MAJESTIC SPECIAL. Advertising and exploitation aids in keeping with a lavish production. YOU CAN DATE IT SOON!

OW CASTING: "NIGHT ALARM"—A saga of the re Departments. Adapted by Earl Snell from an origl story by Jack Stanley. Robert Vignola directing.

IN THE CUTTING ROOM: "SHE HAD TO CHOOSE" —Joyous comedy-drama with music and a shock climax. Large cast includes Larry "Buster" Crabbe, Isabel Jewell, Sally Blane, Regis Toomey. Directed by Ralph Ceder. WATCH FOR RELEASE DATE!

A VARIETY OF HIGH CLASS ENTERTAINMENT will be provided by NINE others—including TWO MORE Majestic SPECIALS. Majestic's GUARANTEED TWELVE are announced in our 1934-35 Year Book now on the presa.

EXCHANGES EVERYWHER

MAJESTIC PRODUCING CORPORATION

RKO BUILDING 1270 SIXTH AVE. NEW YORK CITY

Para. Awaits Moves Under Changed Law

(Continued from page 1)

impression is prevalent in Paramount circles that two trustees, rather than the present three, will be sufficient to handle the company's affairs.

Richardson, former Chase National executive and subsequently treasurer of Fox, has stated he has been desirous of returning to private affairs which were interrupted when he joined Paramount by court appointment many months ago. Leake, Hilles and Richardson have been serving as temporary trustees pending today's hearing.

All developments at Paramount under former bankruptcy statutes have been held in abeyance pending appointment of permanent trustees. That Leake and Hilles will be so named is regarded as a foregone conclusion.

Foremost probably among deals so set back has been the Saenger reorganization which was slated for court approval a number of weeks ago, but delayed until, or after, this morning. Second is a permanent operating agreement covering the Publix theatres in Detroit now being managed by George W. Trendle. His offer for a permanent deal has been submitted and presumably after today will again be placed on the calendar of business awaiting disposal.

Other matters hanging include claims contested by Paramount trustees. In this group is a claim of the Indemnity Insurance Co. for $229,842; the Citizens' Trust and Savings Bank of Los Angeles for $58,749, and the First National Bank of Boston for $225,000. Up for a hearing on June 22, these unsettled claims were postponed until, or after, July 10.

Last of Paramount Foreign Men Depart

Last of the Paramount foreign contingent has left New York for their respective headquarters cities. John Cecil Graham, managing director in Great Britain, and Carl P. York, occupying a similar post in Scandinavia, are aboard the *Majestic,* now four days out. John L. Day, managing director for South America, is aboard the *Pan-America* three days out for Rio.

London, July 9.—Phil Hyams of H. and G. Kinemas, Ltd., Earl St. John, Paramount theatre operator for England, and M. J. Messeri, managing director of the company's Spanish unit, are aboard the *Berengaria* due at Southampton Wednesday.

Paramount, aside from original denials, has been 100 per cent silent on reports Phil Hyams came over on a deal to sell to it his London houses, all large and all de luxe.

"Empress" for Criterion

Paramount plans to open "The Scarlet Empress" at the Criterion at two-a-day within the next few weeks. "Cleopatra" also is slated for a showing at the same spot.

Operators' Scales Face Study by NRA

Washington, July 9.—Statistical studies of operators' and stagehands' pay scales in Greater New York will be started July 11 by Donald K. Wallace and Daniel Bertrand of the Division of Research and Planning of the National Recovery Administration, it was declared today by Division Administrator Sol A. Rosenblatt.

The two men have been assigned to Rosenblatt to serve as a fact-finding agency, it was explained, and their reports will be made to the division administrator, who will base his conclusions thereon.

The investigation is the first step to bring about coordination of pay scales. The findings and administrator's recommendations are expected to be finally laid before a board to be appointed to set up wage scales.

Shorts Forcing Up In Trio of Appeals

Forcing of shorts highlighted the three appeals heard by Campi's committee yesterday. On the committee were W. Ray Johnston, Cresson Smith and Laurence Bolognino.

Appealing from a decision against it, Whalley Theatre Co. of New Haven, asked that it be relieved of 80 per cent of the shorts purchased from Paramount. Ed Levy, attorney for the exhibitor, contended that he bought one-fifth of his 312 pictures from Paramount and since he can only play 150 shorts with a dual policy he should therefore be entitled to buy only one-fifth of the company's shorts.

Paramount, through its attorney, Sidney Justin, claimed that the contract was signed in October and the code did not go into effect until Dec. 7 and there was no basis for the claim.

J. B. Fishman and a number of other independent New England exhibitors attended the hearing.

The other cases were that of Harry L. Lavietes, Pequot, New Haven, against Lyric, State and Garden, same city, on clearance and zoning; Middletown, Enterprises, Middletown, Conn., against Capitol, Hartford, clearance and zoning. A. J. Vanni of Poli withdrew his appeal from a decision of the New Haven board in a case involving Jadamus Amusement Co.

Of the 100 appeals and 15 certifications on the docket, 16 decisions and a like number of recommendations by appeal committees will be ready Thursday. More than half of the appeals filed have been heard.

Three Cases Cleared By Board in Detroit

Detroit, July 9.—Three cases have been disposed of by the grievance board.

Complaint of Joseph Simon, Delray, against Thomas Lancaster, Grande, charging overbuying, was dismissed.

Harold Chereton, DeLuxe, Saginaw, Mich., was ordered to end rebates. Stanley J. Marz, State, Saginaw, was the complainant.

The case of I. J. Lomdon, Ferryfield Theatre, alleging improper advance advertising by Ben and Lou Cohen, Grand Victory, was dismissed, as the complainant failed to appear.

The clearance and zoning board has advised Detroit exhibitors it will shortly submit a clearance and zoning plan that will not be subject to further protests except that an appeal may be made to Code Authority within five days of publication.

It also notified Grand Rapids exhibitors that they were at liberty to submit schedules for the zoning plan for that city up to July 16.

Report Code Boards Are Delaying Sales

(Continued from page 1)

be held today at Campi headquarters in an effort to push ahead the new schedules.

Tomorrow the finance committee meets on a new plan to allocate the producer and distributor assessment for the first half year.

Yesterday Austin Keough and J. Robert Rubin met on legal matters and the production committee comprising W. Ray Johnston, Bareford and Rubin also held a special conclave.

Results of all sessions will be in the form of recommendations to be presented Thursday.

Portland Alternates On Boards Named

Portland, July 9.—Named as alternates for the impartial members of the clearance and zoning board are:

Jack Luihn, manager Sealey-Dresser Co., delicatessen and grocery concern. He is about 55, and well versed in code matters pertaining to the grocery trade.

Walter R. May, manager of the Portland Chamber of Commerce. He was for some years a secretary for various organizations and was connected with the *Portland Oregonian.*

Harvey Wells, member of the legislature for several terms, is in the general insurance business, and also an officer in the Jantzen Amusement Co.

Seider Complains on Valencia Clearance

Joseph Seider has filed a clearance and zoning complaint against Loew's Valencia, Jamaica, claiming that the protection on his Granada, Rialto and Patchogue in Patchogue, and Regent and Bayshore, Bayshore, L. I., by Loew's should be lifted.

The case comes up before the New York board July 18.

An appeal has been filed on the Port Jefferson zoning schedule as recently promulgated by the board.

The Hastings, Hastings-on-the-Hudson, has filed a clearance complaint against the Strand, Yonkers, asking eliminations of the protection. This case comes up July 16.

Milwaukee Still at Work on Clearance

Milwaukee, July 9.—Milwaukee County's proposed clearance and zoning schedule continues in the pruning process with another meeting of the local board slated for July 11. Approximately a half dozen meetings have been held since the plan was aired at a general exhibitors' gathering here June 19.

The grievance board continues to hold a clean calendar and with no complaints outstanding has aired no grievances on its regular Monday meeting date for the past four weeks.

Loew's Seeks Third of Shea Circuit Stock

(Continued from page 1)

its corporate entity from Shea Operating Corp. to Buffalo Theatres, Inc. Mr. McFaul is a veteran in the organization, having practically grown up with it.

The Shea houses include the Bailey, 1,790 seats; Buffalo, 3,489; Century, 3,076; Court Street, 1,640; Elmwood, 1,600; Great Lakes, 3,024; Hippodrome, 2,089; Kensington, 1,366; North Park, 1,440; Seneca, 1,750 in Buffalo; Bellevue, 1,535 in Niagara Falls and Riviera, 1,249, in North Tonawanda.

Report Skouras as Operator for Loew

(Continued from page 1)

Loew's, their territory to be confined to operating the group in Brooklyn.

Most of the theatres now operated by Skouras are in Long Island. He has about 10 in New Jersey and about 10 in New York, five in the latter group which do not come under the Fox Met. banner.

No new developments between counsel for bondholders and the two circuits came to light yesterday.

Skouras could not be reached for a statement, while at Loew's the Skouras angle was admittedly probable.

Addison Is Promoted

H. M. Addison, zone manager for Loew's with headquarters in Cleveland, has been promoted and transferred to Boston where he will exercise supervision over the circuit's houses in these cities: Providence, Montreal, Toronto, London, Ont.; Syracuse and Rochester, as well as Boston.

Second Appeal Up on U. A. Cancellations

Second appeal on the U. A. 10 per cent cancellation issue has been filed with Campi, the Highland, Fort Thomas, Ky., and Park, Cincinnati, being the complaining exhibitors.

In this instance the exhibitor wanted to cancel "Catherine the Great" and U. A. refused to do so. The issue is on the calendar for July 31.

Need No Endorsements

With the sending out of the first batch of new code assent forms today to far western points, no endorsements of signing exhibitors will be necessary, it was pointed out by Campi yesterday.

Oppose "Race Nights"

Hollywood, July 9.—The Manchester Theatre has filed a complaint with the grievance board against "race nights" at the Florence, Mecca and Castle.

To Fill Berres' Post

Successor to Al Berres, who recently resigned from the studio labor committee in Hollywood, will be named by Campi on Thursday.

Short Subjects

"The Queen of Hearts"

(Celebrity)

With the nursery tale of "the queen of hearts who made some tarts" as a story, this is an entertaining short. Done in Cinecolor and with musical dialogue, it opens with the king ordering the pastry and the queen repairing to the kitchen to make it. Soap powder gets into the dough by mistake, and when the knave steals the tarts he becomes sick. The windup is a battle in the kitchen between the knave and the king's forces, with everyone rushing to get back into a deck of cards as the clock strikes 12. Running time, 8 mins.

"Beau Bashful"

(Universal)

An entertaining short featuring Herbert Corthell, Grady Sutton and Sylvia Picker. The story concerns the plight of two bashful sweethearts, Sutton and Miss Picker, who want to get married but lack the courage to take the necessary steps. They are aided by Corthell, the father, in a roundabout way and all ends happily. Most of the laughs are packed in the last half after the young couple register at a hotel. Running time, 20 mins.

"Paris au Fil de L'eau"

(J. C. Bernard)

An interesting travelogue done with the impressionistic camera angles and fine photography which characterized the Fox Magic Carpet series. The scenes are made from the deck of a boat on the Seine. They show bridges, statues, fishermen, varied types of life, the back of huge churches and other Parisian structures. As shown on the *Ile de France* the running narrative was in French, but it is understood that it will be dubbed into English for American distribution. Running time, 19 mins.

"Le Sud"

(J. C. Bernard)

Some of the camera work in this is extraordinarily beautiful. Most of the scenes are laid in the Sahara south of Algiers, and the cameramen waited for light and shadow and cloud effects. The photography conveys a vivid impression of the vastness of the desert, the beauty of its shifting sand dunes, and the oddities of town life on oases. Native music accompanies some of the latter scenes. Very much worthwhile. Running time, 20 mins.

Greenburg Goes Upstate

Harold Greenberg, booker and buyer for Publix upstate New York houses, has moved his headquarters from the home office to Poughkeepsie.

Jury to Get Union's Books

The books of Local 306 were ordered turned over to the Kings County Grand Jury for investigation yesterday by County Judge Martin in Brooklyn. The jury is looking into the affairs of the union.

MOTION PICTURE DAILY'S HOLLYWOOD PREVIEW

"Born to Be Kissed"

(M-G-M)

Hollywood, July 9.—Convincing Franchot Tone, wealthy scion of Sire Lionel Barrymore, that her energy is potential and not kinetic seems easy for Jean Harlow, an erotic maid, but more difficulty will be experienced convincing audiences in the John Emerson and Anita Loos screen play directed by Jack Conway.

Tempestuous Jean, motivation lily white, decides to play with wealth and fire but her object—matrimony. Her first victim, Lewis Stone, goes broke, philosophically promises to marry her and then commits suicide. Next she tries owlish Lionel, but his son, Franchot, pursues Jean, is halted by her dictum and they both fall in love.

Astute Lionel, dissenting, frames Jean photographically with an unknown man, but she returns the compliment by being snapped semi-nude with him. To save his own skin, Lionel sanctions the Franchot-Jean nuptials.

Half-scarlet Harlow runs an emotional gamut. Tone troupes well and is virile, too. Patsy Kelly, Jean's pal, offers good comedy relief. The production, visualizing allurement dramatically of a presumably innocent golddigger, is smoothly knit.

While the central character taxes one's credulity, the film is well paced and has its moments but its selling demands thoughtful, tactful exploitation at this time. Running time, 75 minutes.

Looking 'Em Over

"The Crime of Helen Stanley"

(Columbia)

Although "The Crime of Helen Stanley" is slavish in its adherence to the formula set down for mystery films, it is moderately entertaining.

It is the customary drag-'em-in-and-drag-'em-out affair. Everyone in sight with even the remotest reason for wishing Helen, a movie star, out of the way is placed under suspicion and, as usually happens in films of the type, the most innocent appearing turns out to be the guilty party. This production manages to be a more or less pleasant guessing match and the identity of the killer is never for a moment given away.

The film produces a variety of motives why the star's enemies might want her disposed of, and she had plenty of enemies, for she wasn't exactly a pleasant sort. The motive of the murderer was to avenge the death of his brother, a director, driven to suicide by the actress. The murder is committed on the set while a film is in production. The studio background lends interest to the picture.

Ralph Bellamy is the police inspector in the case. Some of those at whom he flings his question marks are Shirley Grey, Bradley Page, Kane Richmond, Vincent Sherman, Clifford Jones, Arthur Rankin, Ford Bond and Lucien Prival. Gail Patrick plays the star. D. Ross Lederman directed. Running time, 58 minutes.

Technicians to Resume

Hollywood, July 9.—The executive committee of the Technicians' branch of the Academy met today to pass upon plans for resumption of the technical program which was suspended some months ago. S. J. Twining is chairman of the papers and programs committee in general charge of the branch meeting program.

Mrs. DeMille Recovering

Dover, N. J., July 9.—Mrs. Cecil DeMille is in the Dover General Hospital, it was learned here today, recovering from an operation. She is reported to be on the road to recovery.

Ida Lupino Recovers

Hollywood, July 9.—Ida Lupino has completely recovered and is out of the infantile paralysis quarantine

Extend Hutchinson Pact

Hollywood, July 9.—After viewing rushes on her first day's work in "Gentlemen Are Born," Warners tore up Josephine Hutchinson's contract and wrote a new one calling for three pictures on an exclusive one-year contract.

Joe Cook Film Off

Fox yesterday verified Coast reports that plans to star Joe Cook in "Fun in the Air" had been canceled.

Late yesterday afternoon, S. R. Kent, in a statement, said the picture had been "indefinitely postponed."

Mrs. Uno Gets Pickwick

Greenwich, Conn., July 9.—Mrs. Mary Uno has acquired the Pickwick from Haring & Blumenthal, making a total of three in her circuit. She also operates the Strand and Palace in Stamford.

"U" Sets 10 Films In the Music Hall

(*Continued from page 1*)

10 pictures. The others will be shown in other Broadway first run houses.

Last season, in addition to RKO the Music Hall showed Fox and Columbia as well as four from Universal. This year's committment is a 150 percent increase over last year.

The company yesterday also set its anticipated bell-ringers for the next few months. In August, it will be "One More River" starring Diana Wynyard; in September, "There's Always Tomorrow," featuring Binnie Barnes; in October, "Night Life of the Gods" and "Imitation of Life," the latter starring Claudette Colbert; in November, "The Good Fairy," starring Margaret Sullavan; in December, "The Great Ziegfeld."

"U" to Do "Crusoe"

Hollywood, July 9.—Universal has added "Robinson Crusoe" to the 1934-35 program. Henry Hull has been slated for the top spot.

Carr Continues Ill; Johnston Heads West

Hollywood, July 9.—Complications in the condition of Trem Carr will confine him to the Cedars of Lebanon Hospital for another two weeks.

Monogram, in the meantime, has moved from General Service to Pathe.

W. Ray Johnston of Monogram had not heard of the setback in Trem Carr's condition yesterday. A wire from the patient Saturday said he had expected to leave the hospital today. Infection following an abdominal operation is delaying complete recovery.

The Monogram president starts for the coast Thursday by auto on a combination vacation and business trip. He will keep an eye on production until Carr returns some weeks hence. Johnston will be away from New York for two months.

Harry Frillman Dead

Columbus, O., July 9.—Harry Frillman, 63, well known Ohia theatre executive, died at his home in Columbus following a heart attack. Until recently he had been affiliated with J. Real Neth and had been manager of the Cameo. For 18 years he was stage manager and bass singer with the Al G. Field Minstrels. Burial was in Columbus.

Beecroft Death Shocks

Old timers in the industry yesterday were shocked to learn of the death of James Beecroft from a gun-shot wound in a rowboat off Harbor Island Park, Mamaroneck Sunday afternoon. He is survived by his widow and two children.

Beecroft was for some years New York advertising manager of *Exhibitors' Herald,* a forerunner of *Motion Picture Herald.*

Mrs. Rembusch Passes

Shelbyville, Ind., July 9.—Mrs. Grace Rembusch, wife of Frank J. Rembusch, died here Friday from either a heart attack or a cerebral hemorrhage while asleep.

"Thin Man" Pulls $5,500, Oklahoma

Oklahoma City, July 9.—"The Thin Man" was in the money here last week in spite of the heat. It reached $5,500, over par by $500.

The only other draw in town was "The Merry Frinks" with a stage show at the Liberty, where the take for four days was $2,000.

Total first run business was $13,500. Average is $13,500.

Estimated takings for the week ending July 7:

"THIN MAN" (M-G-M)
CRITERION—(1,700), 10c-20c-36c-41c-56c, 7 days. **Gross:** $5,500. (Average, $5,000)

"SHOOTS THE WORKS" (Para.)
MIDWEST—(1,500), 10c-26c-36c-56c, 7 days. **Gross:** $3,000. (Average, $4,000)

"COCKEYED CAVALIERS" (Radio)
CAPITOL—(1,200), 10c-20c-26c-36c-41c, 7 days. **Gross:** $2,200. (Average, $2,500)

"ALL MEN ARE ENEMIES" (Fox)
LIBERTY—(1,500), 10c-15c-26c-36c, 3 days. **Gross:** $800. (Average week, $2,000)

"MERRY FRINKS" (F. N.)
LIBERTY—(1,500), 10c-15c-26c-36c, 4 days. Stage: "Rhythm Aristocrats." **Gross:** $2,000. (Average week, $2,000)

J. J. Franklin Set For Hawaii Circuit

(Continued from page 1)

Hawaii, a territory now controlled by Consolidated Amusements in which Louis Greenfield, now deceased, was long a prime mover and an approximate 50 per cent owner.

Consolidated operates on an exclusive buy for the islands and not only runs product in its theatres but sells it to government reservations and sugar plantations as well. M-G-M is the one distributor which failed to get together with Consolidated last year. It will build in Honolulu through Loew's.

J. J. Franklin is telling distribution headquarters here that his contemplated circuit will give them more revenue out of Hawaii than they now have been getting from any other source.

Harold B., J. J. Franklin's brother, when asked yesterday, stated he had no interest in the venture aside from supplying advice if and when requested.

Says Columbia Not To Hamper Theatres

(Continued from page 1)

exhibitor must have, we are for the exhibitor," he declared. "The same applies to double features. Columbia will not attempt to restrict the exhibitor in the successful operation of his enterprise."

From Nate Spingold came the good word Columbia had signed more contracts prior to the opening of the convention this year than it had four weeks after the close of the 1933 meeting.

Academy Groups Busy

Hollywood, July 9.—Five Academy meetings are set for this week starting tomorrow when the Research Council meets with the subcommittee chairmen. Wednesday night the sound recording subcommittee will meet; film preservative subcommittee, Thursday noon, and silent camera subcommittee, Thursday evening. The uniform screen illumination subcommittee will see a series of tests at the Radio studio Friday night.

Hollywood Personals

Hollywood, July 9.—Cliff Lewis and Marjorie Decker marry Aug. 11. . . . Rufus King, author of "Conversation Piece," in town. . . . George Somnes on a tour of Europe. . . . Pat O'Brien wondering what to do with the 400 books he bought at auction. . . . Grace Moore and her husband motoring in northern California. . . . Columbia very proud of its new bootblack, candy, and hot-dog stand. . . . Pert Kelton back to Catalina for more sunburn. . . . Charlie Rogers sent a gorgeous bunch of posies to Harry J. Brown as a greeting on Harry Joe's first as associate producer at Warners. . . . Dick Powell catching up on his correspondence. . . . The Warren Williams on hand to see the yachts take off in the annual Honolulu race. . . . Even the electricians chimed in with the production staff in applauding that new dance Fred Astaire and Ginger Rogers do in "Gay Divorce." When the juicers unlax it must be good. . . . William Anthony McGuire threw a stag dinner the other night for Liam O'Flaherty, noted Irish scrivener. . . . Irene Dunne now has a Badminton court in her Beverly Hills back yard. . . . Bill Hanneman making daily tours of the lot, popping off blackboards with a kid's slingshot—the quaint fellow. . . . Bruce Cabot and wifey, Adrienne Ames, going in for golf right in their own backyard. . . .

Mexico's 17th Film Company Is Started

By JAMES LOCKHART

Mexico City, July 9.—Mexico's list of producers has been increased to 17 with the establishment here of the Compania Impulsora Cinematographica. American-Mexican capital is behind the project, and Paul Bush, leading automobile distributor, is the head.

Sound films will be made for the Mexican market. Rodriguez Brothers' sound system has been acquired and their studios have been taken over. Robert Quigley of Hollywood will be a combination director and scenarist.

Trendle Complains On Shift of House

Detroit, July 9.—George W. Trendle, head of United Detroit Theatres, says Lew Wisper has obtained control of the Eastown, Detroit neighborhood, by acquiring one-half of the bonds and serving an ouster notice.

Following Wisper's move, Trendle filed charges with the grievance board alleging improper interference with negotiation of a lease. The case is to be heard next week.

Drop Adrienne Ames

Hollywood, July 9.—Paramount has dropped its option on Adrienne Ames. She is negotiating with Radio where her husband, Bruce Cabot, is under contract.

Hollywood, July 9.—Emanuel Cohen is on a week's vacation, destination unknown

Take Bloomfield House

Rapf & Ruden have taken over the Royal in Bloomfield, N. J., from Warners and will run the house in conjunction with the Bellevue, Upper Montclair; the Broadmoor, Bloomfield, and the Park, Caldwell, N. J.

Wright Loses His Suit

Los Angeles, July 9.—Harold Bell Wright, novelist, has lost his suit against Sol Lesser and Michael Rosenberg over the talking picture rights to "When a Man's a Man."

Form Temple Clubs

Shirley Temple Clubs have been formed in Providence, Kansas City and Chicago. The clubs are made up of mothers and daughters.

Para. Gets $31,000 On "Make Up," Baer

"Kiss and Make Up" with Max Baer on the stage grossed $31,000 at the Paramount.

"Black Moon" reached only $9,000 in six days at the Rialto. In five days of a second week with "Dr. Monica" and two days of "Midnight Alibi," the Strand reached $11,000.

"Baby, Take a Bow" garnered $8,500 last Sunday and is being held for a third week at the Roxy.

'Dynamite' Is Detroit Lead; Gets $19,500

Detroit, July 9.—Top honors on the week went to "Strictly Dynamite" and a stage show headed by Lupe Velez at the Fox. The take went up to $19,500, topping normal by $4,500.

"Operator 13" was a disappointment at the Michigan, getting only $18,200. The stage show included eight acts headed by Block & Sully.

Total first run business was $48,200. Average is $55,000.

Estimated takings for the week ending July 5:

"MANY HAPPY RETURNS" (Para.)
FISHER—(2,975), 15c-50c, 7 days. **Gross:** $3,900. (Average, $10,000.)

"STRICTLY DYNAMITE" (Radio)
FOX—(5,100), 15c-50c, 7 days. Stage: Lupe Velez. **Gross:** $19,500. (Average, $15,000.)

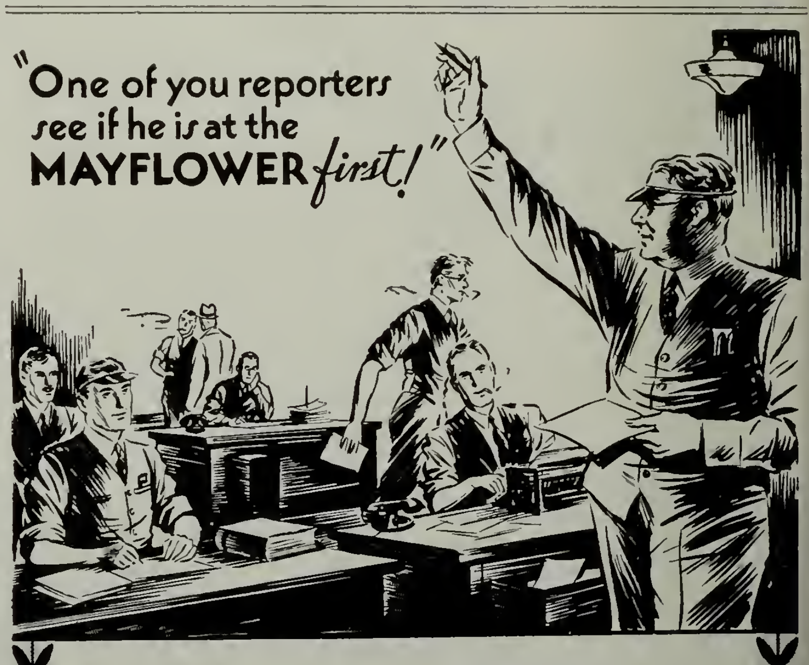
"OPERATOR 13" (M-G-M)
MICHIGAN—(4,100), 15c-50c, 7 days. Stage: Block & Sully heading eight vaudeville acts. **Gross:** $18,200. (Average, $20,000.)

"GREAT FLIRTATION" (Para.)
UNITED ARTISTS—(2,070), 25c-50c, 7 days. **Gross:** $6,600. (Average, $10,000.)

Samuelson Says Two Allied Groups Gain

Returning from special sessions of the Allied units of Western New York and Wisconsin, Sidney Samuelson, president of the national organization, sees these individual organizations gaining in strength and making steady headway.

While Samuelson was away, he was sick seven days and lost 14 pounds.


"One of you reporters see if he is at the MAYFLOWER first!"

Seasoned observers know where to locate visitors from all over the world whose names mean news

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MOTION PICTURE DAILY

Alert, Intelligent and Faithful Service to the Industry in All Branches

VOL. 36. NO. 8 NEW YORK, WEDNESDAY, JULY 11, 1934 TEN CENTS

Briefs Asked In ITOA Suit Against Campi

Court Reserves Decision Pending Their Study

Decision was reserved yesterday by Federal Judge Henry W. Goddard in the suit of the I. T. O. A. for a temporary injunction to enjoin Campi and local clearance and zoning boards from refusing to hear complaints filed by non-assentors.

Milton C. Weisman represented the exhibitor organization and stated the members of the I. T. O. A. were ready to pay assessments under the code, but did not want to sign and thereby give up their constitutional rights. He said the membership was living up to all provisions of the code

(*Continued on page 7*)

Import Curb Lifted By Czecho-Slovakia

By JOACHIM K. RUTENBERG

BERLIN, July 10.—American companies are expected to return to Czecho-Slovakia after a two-year absence as a result of the removal of the 20,000 crown import license and the removal of quota restrictions.

The 20,000-crown tax—about $600 —was levied against every American importation and the quota law required that one in every seven distributed by American companies should be of Czecho-Slovakian origin. The law was passed after considerable agitation by native producers.

During the two-year absence of American distributors agitation for loosening the restrictions has been

(*Continued on page 8*)

No G. B.-U. A. Deal, States Silverstone

By BRUCE ALLAN

LONDON, July 10.—Maurice Silverstone, recently elevated to the general managership of United Artists in Europe, today declared he had no knowledge of reports current in New York that his company is negotiating to handle Gaumont British product in the States. Joseph M. Schenck was on the continent today.

FWC Foreclosure Is Set Back on Coast

LOS ANGELES, July 10.—Although foreclosure sale of Fox West Coast was tentatively slated to come up before Judge James in the U. S. District Court here today, the proceeding

(*Continued on page 2*)

Zanuck's Idea to See Pope Finds Hays Office Chilly

If Darryl F. Zanuck contemplates discussing the Catholic Church movement aimed at objectionable films with the Pope, assuming he can arrange an audience, the step will be undertaken with no approval of the Hays office.

Officially striking the attitude that no cable seeking authorization to proceed along such lines had been received here and no definite decision consequently had been made, the Hays office yesterday implied definitely it

(*Continued on page 6*)

Local Church Film Attack At Standstill

Local moves in the church clean film campaign were at a standstill yesterday. No invitation to a conference with producers was received at the Hays office.

At Mgr. Michael J. Lavelle's office it was stated that he and Rev. Joseph A. McCaffrey, members of the interdenominational committee appointed at a conference Monday, were out of town and would be away until tomorrow. Rev. Dr. Walter M. Howlett, Greater

(*Continued on page 6*)

Ontario Bars 7 Now Under Catholic Ban

TORONTO, July 10.—The first reaction in Canada to the campaign against objectionable films in the United States was announcement today by Chairman J. C. Boylen of the Ontario censor board that seven pictures in a list of 31 declared immoral by Catholics had been banned in the province.

Fourteen of the pictures have been approved after revision, while 10 have

(*Continued on page 6*)

Race Mixing Stirs Louisville Feeling

LOUISVILLE, July 10.—Some resentment has been voiced here of late by filmgoers against the mixing of colored performers with white in musical and dance numbers.

This resentment does not extend to outstanding performers like the Mills Brothers and others, but applies to those scenes where it is implied the races are mixing on an equality basis.

May Drop Plan

Philadelphia, July 10.—Film Row today heard the report that the plan for a concerted closing of Warner and M. P. T. O. of Eastern Pennsylvania member theatres will be dropped quietly.

Lew Pizor and Charles Segall, representing the M. P. T. O., are expected to confer with Joseph Bernhard, general manager of Warner theatres, tomorrow in New York on the decision.

Several efforts to reach Joseph Bernhard last night proved unavailing. His office reported he was in a meeting and could not be reached.

K. C. Schedule Hits Doubles; May Tip Rates

KANSAS CITY, July 10.—The new clearance schedule for Kansas City, adopted by the local clearance and zoning board, is considered a lever to lift the present low level of first and subsequent run admission prices. By setting back availability on double bills at subsequents and by reducing the clearance for first runs maintaining this practice, the new plan is regarded

(*Continued on page 7*)

Carter Barron Gets New Post in Loew's

Carter Barron moves up the line in the shift of Loew district managers which takes H. M. Addison from Cleveland to Boston as reported in MOTION PICTURE DAILY yesterday.

Barron has been city manager in Washington. As district manager now, he will continue to handle that

(*Continued on page 2*)

Cleveland Dual End Stirs No Complaint

CLEVELAND, July 10.—The public appears to be reacting favorably to the single feature policy now in effect in

(*Continued on page 8*)

Para.'s Three Trustees Stay UnderNewAct

Judge Coxe Holds Them After Hearing Counsel

Declaring he had no alternative after hearing counsel for various stockholders' and bondholders' groups, Judge Alfred C. Coxe in U. S. District Court yesterday named Charles D. Hilles, Eugene W. Leake and Charles E. Richardson as permanent trustees under the new bankruptcy law.

These men have been in the status of temporary trustees since the recent application for permission to reorganize under the new bankruptcy law. Prior to that they had functioned under the old bankruptcy laws. Their continuance in office is regarded as hastening the company's reorganization.

At the opening of the hearing the question arose as to whether Richardson was willing to serve as permanent

(*Continued on page 8*)

Goldman Lines Up New Penn Circuit

PHILADELPHIA, July 10.—Formal announcement of the formation of William Goldman Theatres, Inc., a new independent circuit, to operate in Pennsylvania, New Jersey and Maryland will be made tomorrow by William Goldman, former Stanley-Warner head.

The outfit is understood to have a

(*Continued on page 8*)

St. Louis Awaiting Next Warner Step

ST. LOUIS, July 10.—There is some speculation here as to the next move of Warners now that transfer of the Ambassador, Missouri and Grand Central Theatres to F. & M. management seems certain.

At present Warners have the Shubert and there are reports they will take over the Orpheum.

Chicago Allied Will Oppose B. & K. Move

CHICAGO, July 10.—Allied Theatres of Illinois will oppose the plan of B. & K. seeking an extra or "dead" week protection in the local zoning scheme, according to Aaron Saperstein. Allied feels, according to Saperstein, that B. & K. has all the

(*Continued on page 7*)

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New Group Elects

ATLANTA, July 10.—Ike Katz of Montgomery has been named head of the newly organized Georgia-Tennessee - Florida - Alabama Theatre Ass'n. Other officers are: W. L. Coart, Atlanta, treasurer; A. J. Benedict, Atlanta, secretary; Mrs. C. B. Ellis of Atlanta, Sam Borinsky of Chattanooga and H. H. Waters of Birmingham, state vice-presidents.

France Bars U. S. Film

PARIS, July 10.—A temporary but complete embargo was declared today by France on American raw sensitized film for screen cameras. The purpose is to insure employment to its own people by requiring American firms to manufacture in France all film intended for sale in the country.

J. R. Grainger Feted

The six-week period between July 23 and September 1 has been designated by Carl Laemmle in a cable from Vienna as Jimmy Grainger Celebration. This period will also mark the first anniversary of Grainger's association with Universal as general sales manager.

Vergesslich Joins

Herman Gluckman, president of Majestic and Capitol exchange, yesterday closed a deal for J. J. Vergesslich to manage both New York branches. He was formerly branch manager for Warners here.

G. H. Stone at Work On Chinese Shorts

HOLLYWOOD, July 10.—Grant H. Stone, heading the newly organized Prizmatic Prod., Inc., using the Cinecolor process, has thrown his hat into the Chinese film market arena as his initial production effort. Dr. Fung Pochee, former technical advisor at Fox, has been made production chief in charge of the filming of a color short series for distribution in the Orient. A deal for the handling of 26 color shorts for local distribution is likely to be closed within a week.

Stone, who did all the color photography on "The Maiden Voyage of Valero III" the voyage to the Galapagos Islands of the Capt. G. Allan Hancock expedition in the interests of the California Academy of Sciences, figures to have three Chinese shorts in work all the time, when actual production gets under way. Dr. Pochee is now making final arrangements for distribution. Robert Cary is the other chief member of the firm.

London Films Ready To Start New Plant

LONDON, July 10.—Plans to build a studio of four stages at Elstree have just been completed by London Films. A 40-acre tract has been acquired and all construction work is expected to be completed in about six months.

First announcement of the proposed expansion of London Films was made in a story cabled to MOTION PICTURE DAILY from London several weeks ago.

Carter Barron Gets New Post in Loew's

(*Continued from page 1*)

city and take over Harrisburg, Wilmington, Reading, Norfolk, Baltimore and Richmond. Harry Long, who has been handling this district, takes over Addison's houses in Cleveland.

Transfer of Addison to Boston brings W. A. ("Billy") Downs into New York on Charles C. Moskowitz's staff. He will handle theatres which have been under the aegis of George Schenck, now ill. Included are the Metropolitan, Melba and Loew theatres in Borough Park and Coney Island.

Await New York

Los Angeles, July 10.—Charles Skouras, one of the trustees of Fox West Coast, today declared no new developments in the reorganization of the circuit will be undertaken pending arrival here of financial and legal lights from New York.

Chase National representatives, bulwarked by lawyers, are expected to head west sometime next week on F. W. C. reorganization detail.

FWC Foreclosure Is Set Back on Coast

(*Continued from page 1*)

has been delayed until later in the month. The delay is due to the mass of details which must be ironed out before the sale can take place.

A reorganization plan which will call for a new holding company to replace Wesco with S. R. Kent at the head of it will be submitted at the same time for court approval.

To Show "Cucaracha"

Radio will have a preview of its new color short, "La Cucaracha," at the Waldorf-Astoria tomorrow. This film was reviewed by MOTION PICTURE DAILY on July 7. It is the first film made in the new Technicolor process and was produced by John Hay Whitney and Cornelius Vanderbilt Whitney under the firm name of Pioneer Pictures, Inc.

New Mae West Title

HOLLYWOOD, July 10.—Mae West's new picture, originally called "It Ain't No Sin" by Paramount, has been changed to "The Belle of New Orleans" and will be released under that title.

N.O. Hits Mae West Title

NEW ORLEANS, July 10.—Renaming of Mae West's "It Ain't No Sin" as "The Belle of New Orleans" drew protests today from civic and political bodies here.

Trading Light On Big Board

	High	Low	Close	Net Change	Sales
Consolidated Film Industries, pfd	14	13⅝	14	.....	400
Eastman Kodak	98¼	97½	98	+ ¾	400
Fox Film "A"	13	12⅞	13	.....	400
Loew's, Inc.	27½	26¼	27¼	+ ⅜	3,200
Paramount Publix	4	3½	3⅞	+ ⅜	3,600
Pathe Exchange	2⅛	2⅛	2⅛	.....	400
Pathe Exchange "A"	20½	20⅜	20⅜	+ ¼	200
RKO	2½	2¼	2¼	.....	700
Universal Pictures, pfd	39	39	39	+1	10
Warner Bros.	4⅞	4¾	4⅞	— ⅛	4,000

Sentry Off 1-16 on Curb

	High	Low	Close	Net Change	Sales
Sentry Safety Control	3/16	⅛	⅛	— 1/16	100
Technicolor	12⅞	12⅝	12⅞	+ ⅛	600
Trans Lux	1⅝	1⅝	1⅝	.....	100

Pathe Bonds Gain ½

	High	Low	Close	Net Change	Sales
General Theatre Equipment 6s '40	7½	7¼	7½	— ¼	11
General Theatre Equipment 6s '40, ctf	7½	7⅛	7⅛	— ⅞	11
Keith B. F. 6s '46	67¾	67½	67¾	— ⅜	3
Loew's 6s '41, ww deb rights	100½	100¼	100½	.....	9
Paramount F. L. 6s '47	48⅝	48⅝	48⅝	— ⅜	1
Paramount Publix 5½s '50	49¼	48¾	49¼	+ ½	7
Pathe 7s '37, ww	99¾	99¾	99¾	+ ½	3
Warner Bros. 6s '39, wd	54¾	54	54	.....	50

Purely Personal

ALBERT EARLY ROBINSON and his wife are in from Kansas City where the former is a member of the *Star* staff. He has written a play titled "The Week-End of a Pirate."

EMIL FORST, of the Universal scenario department, sails for Europe Saturday on the *Champlain* to purchase continental stage shows.

DIANA WYNYARD and FRANK LAWTON sail tomorrow on the *Aquitania* for England.

KING VIDOR arrives in town this week with a print of his "Our Daily Bread."

JACQUES CHATELAIN, French film player, arrives today on the *Champlain.*

HOWARD S. CULLMAN returns from Washington today. He was there for a day.

JACK PARTINGTON returns today from a brief vacation.

'Nell Gwyn' Preview Attracts Notables

More than 500 exhibitors, circuit buyers and representatives of the stage, screen and press attended last night's special preview of British & Dominion's "Nell Gwyn" at the Astor.

Among those in the audience were:

David W. Griffith, Walter Wanger, Al Lichtman, Harry D. Buckley, Percy Phillipson, Walter Futter, Hal Horne, Harry Charnas, Gus Edwards, Martin Quigley, Colvin Brown, Mike Vogel, Leo Brady, William Boehnel, Regina Crewe, J. M. Jerauld, Louis Sobol, Paul Yawitz, Leo Brady, J. D. Williams, Bruce Gallup, Jack Alicoate, Harry M. Goetz.

Following the preview, Herbert Wilcox entertained at a buffet in the grand ballroom of the Astor. Four hundred attended. There was dancing with music supplied by an eight piece orchestra.

"Affairs" Stirs Portland

PORTLAND, July 10.—The brightest spot on the drab theatrical map here is the Music Box where "Affairs of a Gentleman" and Ted Fiorita and his band have taken $1,800 for an opening day. This is in the face of a continuance of the waterfront strike and the prospect of a general strike.

Fox Signs Swanson

HOLLYWOOD, July 10.—Gloria Swanson has been signed by Fox to appear in her first musical comedy, "Music in the Air," which will be directed by Erich Pommer. John Boles and Douglass Montgomery are co-starred with her.

219 for Germany

BERLIN, July 10.—During the 1934-35 season 117 German films will be produced and 68 American features will be imported. Imports from other countries will total 34.

Robbed at Reopening

TORONTO, July 10.—Three months ago the Danforth theatre was wrecked by fire. Saturday night it was reopened as the Century and was robbed of $350.

"You were born to be kissed . . . ."

The bands are playing it! Every day it's plugged on the radio! A hit song telling the world gaily about a hit picture—

EXTRA! PREVIEW!

Hollywood Reporter says:

" 'BORN TO BE KISSED' is bright and filled with laughs. Grand entertainment. Harlow at her best. Simply swell in addition to being luscious eyeful!"

Jean
HARLOW
"BORN TO BE KISSED"

with LIONEL BARRYMORE
FRANCHOT TONE • LEWIS STONE
JACK CONWAY, *Director*
Produced by Bernard H. Hyman

In the M-G-M Manner!

Grand

STAR!!!!!
DRAMA!!!!
ROMANCE!!!
ADVENTURE!!
ENTERTAINMENT!

An eminent doctor ... branded "murderer" by a hasty world. A beautiful woman ... enmeshed in a hateful marriage. Both seek escape on a strange journey ... that leads to stranger adventures.

From the best-selling novel
that thrilled America

Warner
BAXTER in
GRAND CANARY

with
MADGE EVANS
Marjorie Rambeau • Zita Johann
Roger Imhof • H. B. Warner
Directed by IRVING CUMMINGS
From the novel by A. J. Cronin   Screen play by Ernest Pascal

A FOX PICTURE

A JESSE L. LASKY PRODUCTION

Local Church Film Attack At Standstill

(Continued from page 1)

New York Federation of Churches, was also out of town.

Cardinal Hayes' office confirmed the fact that he would issue a statement on the film situation, but said that it probably would not be forthcoming until later in the week.

HOLLYWOOD, July 10.—Will H. Hays refused to comment today on Rev. Joseph A. McCaffrey's suggestion that he resign his post as head of the M. P. P. D. A. Later, but through a spokesman, the suggestion was called "absurd."

In his formal statement, Hays referred to the clean film campaign and criticism directed at the industry as follows: "Some of it may be justified; some may be entirely unwarranted—all of it is understood, none of it is resented."

Hays and Joseph I. Breen will call a general meeting this week for a general discussion on administration of the code of morals and other means of combating the present reform movement.

Mrs. Roosevelt Lauds Self-Regulation Move

CHICAGO, July 10.—In her debut as a radio commentator in a broadcast from the World's Fair, Mrs. Franklin D. Roosevelt last night praised the self-regulatory measures of the industry as a right step in the campaign to improve the tone of screen entertainment.

Mrs. Roosevelt expressed herself as "extremely happy" at the industry's appointment of Joseph I. Breen to pass on films on the ground that "the matter of moving pictures is very important to the whole country."

General Boycott in St. Louis Is Denied

ST. LOUIS, July 10.—Archbishop John J. Glennon, head of the Catholic Church in this section, has not receded from his position that theatres that show any immoral pictures must suffer lack of patronage on those nights on which good pictures are shown, but he has not yet taken the position that it is a sin for a Catholic to attend a picture theatre at any time. Should such a drastic step be taken many feel it would be disastrous for local theatres since there are 340,000 Catholics in St. Louis and about 500,000 in the St. Louis archdiocese, which covers a large part of Missouri.

Many leading Protestant and Jewish leaders locally have indorsed the film fight being conducted by the Catholic Legion of Decency. It is estimated that 500,000 men, women and children in eastern Missouri alone have joined the fight and pledged themselves to stay away from proscribed pictures.

In the meantime Catholic leaders are consolidating the legion movement. Through the *Sunday Visitor*, *Queen's Work* and other Catholic publications those in the St. Louis archdiocese are being kept informed of the situation throughout the country. The papers carry a list of the undesirable pictures, those that have objectionable scenes and those that are considered suitable for Catholic patronage.

Would Cancel

Chicago, July 10.—An exhibitor here has knocked the local code board office dizzy. Following publication Saturday and Sunday of the picture classifications of the Legion of Decency he applied at the code office for a form to secure cancellation of virtually all pictures banned by the Church.

Offered the standard 10 per cent cancellation form, he refused to accept. He wants a bigger and better form to give scope to his cancelling proclivities under the council's lineup.

Better Films Group Seeks Church Tieup

EAST ST. LOUIS, Ill., July 10.—Plans to enlist churches here in their work have been made by the East St. Louis Better Films Council. Elsie Clanahan, president, has urged members to remember "your ticket as your ballot" in working for clean films.

Mrs. John E. Weese, vice-president, reported the films recommended this week. Reports of her reviewers are posted weekly in the Public Library, Community House, Notre Dame Academy, Belleville and other schools.

Urges Buffalo Diocese To Strengthen Legion

BUFFALO, July 10.—Bishop William Turner of the Catholic diocese of Buffalo, in a letter to priests of the 232 parishes and 36 missions in his diocese, pledged his wholehearted co-operation to the Legion of Decency drive for clean films and asked the pastors to organize units of the League in their parishes.

Dean S. Whitney Hale of St. Paul's Episcopal Cathedral has indorsed the Catholic drive.

3,200 More Sign

ENGLEWOOD, N. J., July 10.—More than 3,200 persons have signed the pledge of the Legion of Decency at St. Cecilia R. C. Church, of which 2,000 are members of the parish and the remainder visitors to the Shrine. Father Albert H. Dolan is directing organization of the legion in this city.

MPPDA Cold To Zanuck Idea To See Pope

(Continued from page 1)

would keep its hands free of any such potential entanglement.

According to Associated Press dispatches from Rome, Zanuck had made up his mind the film campaign was an issue he ought to discuss with the Vatican. He was quoted as stating he hoped for an opportunity to convince the Pope that not all films made here are objectionable. Also he contemplated urging that the campaign not blacklist good pictures.

Ontario Bars 7 Now Under Catholic Ban

(Continued from page 1)

not been submitted to Boylen for examination by distributors.

The titles of the condemned features have been withheld. Boylen explained that a picture found objectionable by a religious group in the States might not be the same in its entirety upon reaching the Canadian public because of censorship.

Stover Hits Producers

HERSHEY, Pa., July 10.—Dr. Ross Stover of Philadelphia blamed the present film campaign on the attitude of producers. He told the 19th biennial convention of the Christian Endeavor Union today that the situation had been brought about by those "in power and authority" who have taken "the modern American attitude of 'I want what I want when I want it.'"

Clarksville Endorses

LOUISVILLE, Ky., July 10.—According to word received in Louisville, the Clarksville, Tenn., Ministers' Ass'n. has indorsed "the courageous stand" of the Catholic Church in regard to clean films and has asked Rev. Arthur E. Whittle, rector of Trinity Episcopal Church, to deliver a sermon against bad pictures.

Asks Boycott Observance

WILMINGTON, Del., July 10.—Speaking in support of the general boycott of salacious pictures, Rev. J. Francis Tucker of St. Anthony's Catholic Church, in a sermon, admonished his parishioners to refrain from attending films "until such time as Hollywood definitely decides to clean house."

Hollywood Personals

Hollywood, July 10.—Freddie March wanted a portable dressing room at U. A. and spent $1,500 to get it. Equipped with bunks and other nautical gadgets. . . . Nat Pendleton, former ear scrambler, has hired a bodyguard. Says he's getting timid from playing so many tough guy roles. . . . Al Santell has completed a new home at Idyllwild. Now working on plans for a tennis court and, of course, a swimming pool. . . . Joe E. Brown now can sip his mint juleps with dignity. He's a Kentucky colonel. . . . Stepin Fetchit still wants to star in his original, "Design for Loafing." . . . Monta Bell looking forward to a 10-week vacation in Yurrop in the Fall. . . . Adrian playing jokes on Kathleen Howard over the phone. . . . George Barbier gone showy. Now has a new Pierce. . . . Buddy Schulberg will study Russian cinema technique in Moscow. . . .

"Bondage" Is $94,500 Draw At Music Hall

"Of Human Bondage" stirred up the biggest gross in many weeks at the RKO Music Hall. In seven days the take went to $94,500 in spite of the heat and the out-of-town holiday attractions.

"The Thin Man," helped by Duke Ellington and his band, was not outstanding at the Capitol with $39,800. "Kiss and Make Up," with Max Baer on the stage, held the Paramount to $31,000.

The Roxy had a good week, comparatively, at $29,000 on "Baby Take a Bow."

Estimated takings:

Week Ending July 3:

"BLACK MOON" (Col.)

RIALTO—(2,200), 25c-65c, 6 days. **Gross:** $8,500.

Week Ending July 4:

"OF HUMAN BONDAGE" (Radio)

RADIO CITY MUSIC HALL—(5,945), 35c-$1.65, 7 days. Stage show. **Gross:** $94,500.

Week Ending July 5:

"THE THIN MAN" (M-G-M)

CAPITOL—(4,700), 35c-$1.65, 7 days. Stage: Duke Ellington and orchestra and Harlem Revue. **Gross:** $39,800.

"MANY HAPPY RETURNS" (Para.)

PALACE—(2,500), 25c-75c, 7 days. Vaudeville. **Gross:** $9,200.

"KISS AND MAKE UP" (Para.)

PARAMOUNT—(3,700), 35c-99c, 8 days. Stage: Max Baer and others. **Gross:** $31,000.

"BABY, TAKE A BOW" (Fox)

ROXY—(6,200), 25c-55c, 7 days. Stage show. **Gross:** $29,000.

"DR. MONICA" (Warners)
(2nd week, 5 days)
"MIDNIGHT ALIBI" (Warners)
(2 days)

STRAND—(2,000), 25c-$1.10, 7 days. **Gross:** $11,000.

Week Ending July 6:

"LITTLE MAN, WHAT NOW?" (Univ.)
(4 days)
"SISTERS UNDER THE SKIN" (Col.)
(3 days)

RKO CENTER—(3,700), 25c-55c, 7 days. **Gross:** $4,900.

Week Ending July 9:

"CIRCUS CLOWN" (Warners)
CANNONERI-KLICK FIGHT

MAYFAIR—(2,300), 35c-85c, 12 days. **Gross:** $7,600.

"Winters" Is a Hit In Cities of Ohio

CINCINNATI, July 10.—The recent delay of the film arbiters at Columbus in passing "The Life of Vergie Winters," which made the front page of most dailies, appears to have intrigued the curiosity of the public. The picture crashed through to an estimated $11,000 at the RKO Albee last week, one of the biggest grosses recorded at this house in many moons. This rates a holdover.

Proportionately heavy grosses are reported from Cleveland and Columbus last week.

In Cleveland the picture has been held for a second week at the RKO Palace, while in Columbus it has been moved from the RKO Palace to the Majestic for another week.

Mid-Ocean Chartered

DOVER, Del., July 10.—Mid-Ocean Motion Picture Corp., listing a capital of $2,000,000 and 35,000 shares, no par value, has been chartered to develop and distribute films. The incorporators are D. B. Hilliard, R. M. Hilliard and E. C. Shockley of Wilmington.

K. C. Schedule Hits Doubles; May Tip Rates

(*Continued from page 1*)

as encouraging adoption of single features.

The new schedule provides clearances for theatres located within the corporate limits of Kansas City and the trade area. It is to become effective with the showing of 1934-35 product, and provides:

Single feature first runs at 25 cents nights, 21 days over any first single feature suburban run charging 25 cents. First runs in this classification get the following clearance over other single feature subsequents: 28 days over second suburban run charging 25 cents; 35 days over other subsequents at 25 cents; 56 days over 20-cent houses; 70 days over 15-cent spots; 84 days over 10-cent houses.

Single feature first runs charging 25 cents or less showing a single feature receive, in addition, clearance of 30 days over subsequents exhibiting such picture on a double bill.

Clearance for first runs showing one feature at more than 25 cents are provided as follows over single feature subsequents: 35 days over first suburban run at 25 cents; 28 days over first suburban run charging more than 25 cents nights; 42 days over second suburban run at 25 cents; 49 days over other subsequent runs charging 25 cents; 70 days over 20-cent houses; 98 days over 15-cent houses; 154 days over 10-cent spots.

More Clearance for Singles

First runs with singles charging more than 25 cents get an additional 60 days over subsequents dual billing at 25 cents or more; and 90 days extra over 20-cent dual houses.

Dual first runs lose one-half the normal clearance over single run subsequents. First runs on a double bill become available to subsequent run double bills according to the regular clearance.

Clearance over first runs in the colored zone is 14 days after regular first run. Clearance over the Paseo, Kansas City, Mo., while not within the corporate limits, is governed by the clearance prescribed for other suburbans.

Subsequent runs not having a fixed daily admission price are classified as charging five cents less than the regular price for such theatre. The regular admission price is to be determined by taking the price that prevails the greater number of days in the week. This provision is also for Kansas City, Kan.

First runs in Kansas City, Mo., charging 25 cents or less receive the following clearances over Kansas City, Kan.: 14 days over Kansas City, Kan., first runs charging 25 cents at night; 28 days over 20 cents; 42 days over 15 cents; 56 days over 10-cent spots.

Kansas City, Mo., first runs charging more than 25 cents get these clearances over Kansas City, Kan.: 28 days over houses charging 25 cents; 42 days over 20 cents; 70 days over 15 cents; 112 days over 10 cents.

The change in clearance prescribed for Kansas City, Mo., duals prevails also for Kansas City, Kan.

First runs in Kansas City, Mo., receive the following clearance over these neighboring towns: Belton, Mo., 28 days; Blue Springs, Mo., 28 days; Bonner Springs, Mo., 45 days; Buckner, Mo., 28 days; Fairmount, Mo., 42 days; Grandview, Mo., 28 days; Independence, Mo., 14 days; Lees Summit, Mo., 28 days; Lenexa, Mo., 28 days; Liberty, Mo., 14 days; Maywood, Mo., 28 days; North Kansas City, Mo., 28 days; Olathe, Kan., 14 days; Overland Park, Kan., 35 days; Platte City, Mo., 28 days; Shawnee, Kan., 35 days.

Files New Plaint in L. A.

Los Angeles, July 10.—A new complaint was filed with the local grievance board today by the Monterey Park Theatre against the Garfield and the Cirstrand theatres, accusing them of offering tickets as prizes. The board heard five complaints but put off decision until next Thursday.

Tauber Clicks

London, July 10.—"Blossom Time," starring Richard Tauber and directed by Paul Stein, was a hit at its midnight premiere here at the Regal last night. Tauber's magnificent singing as Franz Schubert was its greatest single feature. The general artistry and the atmosphere of Old Vienna are admirable in this romance of the composer's life.

"Blossom Time" is easily B. I. P.'s best and challenges American attention.

ALLAN

Virginia Transfer Hit by Code Board

Washington, July 10.—Transfer of the Crewe at Crewe, Va., from the Crewe Amusement Corp. to Mrs. R. D. Bradshaw, wife of the president, was ruled an attempt to avoid a contract with Paramount, following a hearing by the grievance board.

Two cases brought by William H. Rippard, operator of the Eaco, Farmville, Va., were withdrawn. In the first Rippard asked 10 per cent cancellation on a Vitagraph contract, and in the second he sought relief from performance of contracts on the ground of substitution of stars.

A third case brought by Rippard asking relief under contracts with Vitagraph, Universal, RKO, Fox, Paramount and M-G-M was dismissed on the ground that the board could not alter a contract.

Sidney Lust complained he couldn't get product within a reasonable time because Isaac Notes, operator of the Leader, had contracts calling from one to the fifth run. The case was continued for further investigation.

The clearance and zoning board today turned down the appeal of John Henry Hiser, operator of the State, Bethesda, Md., that the 14 days' clearance afforded Warners Avalon, Washington, be abolished. The board ruled that since both houses are in the same territory the existing clearance is fair and reasonable.

The case of J. L. Whittle of the Avenue, Baltimore, against houses operated in the same city by Frank Durkee and Louis Gaertner, and that of the Byrd Amusement Co., Petersburg, Va., against Loew's and the Wilmer and Vincent theatres in Richmond were put off to July 16.

The complaints brought by Lloyd Wineland of the Fairlawn against Warners Avenue and Grand, Harry Green of the Carolina and L. Phillips of the Academy have been settled amicably. Another case settled is that of the Capitol against Warners Avenue and Grand.

Lust Is Appointed As Appeals Member

Washington, July 10.—Sidney B. Lust, independent operator, has been appointed to the Code Authority Appeals Committee. He is already a member of the clearance and zoning board.

Fire at M-G-M Studio

Hollywood, July 10.—Fire on the stage of the M-G-M studio at noon today caused $5,000 damage. Production will not be affected.

St. Louis Clearance Disputes Ruled Upon

St. Louis, July 10.—Clearance and zoning board has ruled that St. Louis first runs shall have 28 days' clearance over Belleville, Ill. This is the same margin that these houses enjoy over East St. Louis.

In the clearance dispute between the Fox Illinois, Centralia, Ill., and the Playhouse, that city, the board voted to reduce the clearance of the former from 180 days to 90 days, provided pictures are played within 35 days after their availability at Centralia, and provided also that the Playhouse maintains a minimum admission of 20 cents for adults and 10 cents for children. Should these price scales be disregarded, the protest against the 180 days' clearance will not be allowed.

The board ruled against the Palm Theatre, St. Louis, which had sought to be taken out of the zone with the Aubert and placed in the zone with the Mikado.

Redmon's Majestic, East St. Louis, has appealed from the decision of the board which ruled that that house should have no clearance over the theatres in Belleville, Ill. Publix Great States Theatres, Quincy and Springfield, has taken an appeal from the adverse rulings of the board in the clearance dispute involving theatres in Palmyra and Hannibal, Mo., and Barry, Mount Sterling, Carthage, Pawnee, Waverly, Edinburg, Chatham, Tallula and Beardstown, Ill.

The grievance board has denied both protests in the dispute between the Illiana Theatre Co., operator of the Grand, Hillsboro, Ill., and Ed Fellis of the Orpheum, Hillsboro, and has decided to notify distributors that both houses admitted charging 10 cents in apparent violation of contracts.

Provo's Clearances Set After Complaint

Salt Lake City, July 10.—Clearances have been set for Provo and surrounding territory. The case came up on a complaint of Jack Swenson, manager of the Angelus, Spanish Fork, in which he asked for elimination of the 14 days' clearance held by the Paramount at Provo.

The board decided that Provo first runs shall have six months when their admissions are 25 cents higher than second runs, four months when the difference in price is 20 cents, three months when the price difference is 15 cents, and two months on a 10-cent difference.

When houses in surrounding towns charge the same scale as the Provo, the Provo shall have 14 days' clearance.

L. S. Wootton, manager of the Rivoli, Sugar House, has won an order from the grievance board ending free admissions for women and two-for-one tickets. The complaint was aimed at C. O. Hauzhurst, Marlo, Sugar House.

Denver Rules Out 'Nights'

Denver, July 10. — Bank nights, cash nights and country stores have been declared unfair competition by the local grievance board, which has ordered six theatres to end the practice by July 17. The defendants will appeal. The complaint against the Harry Huffman theatres, which were accused of giving away an automobile weekly, has been thrown out for lack of evidence.

Briefs Asked In ITOA Suit Against Campi

(*Continued from page 1*)

and that local boards should give them a chance to file complaints. He also asked that assentors should be barred from lodging complaints against non-signers until non-signers have been given an opportunity to act against signers.

Weisman said that Campi was trying to force the unit into signing the code and, if successful, this would deprive I. T. O. A. members of their rights in the courts.

William Whitney, attorney representing Campi, argued that exhibitors who assent and pay assessments get certain advantages under the code, giving as an example 10 per cent cancellation. He said persons seeking benefits of the code should pay for upkeep of local boards.

Weisman then stated that the code is no contract because exhibitors have to take all its provisions whether they are harmful or not.

Briefs were ordered filed on Monday.

Chicago Allied Will Oppose B. & K. Move

(*Continued from page 1*)

protection it needs and any more will work a hardship on his membership. Allied is satisfied to continue on the present basis, Saperstein says.

A spokesman will be named to set forth the Allied stand at Thursday's meeting, and it is indicated an appointment will be made by Saperstein, since, as a member of the clearance and zoning board he personally doesn't feel that he should be the spokesman.

A record turnout is expected for the hearing, which will be held in the Gold room of the Congress starting at 1 o'clock.

Milwaukee's Indies Protest Clearances

Milwaukee, July 10.—Forty-eight Milwaukee independents have wired Campi protesting the proposed new clearance setup. They claim it favors circuits and is detrimental to independents.

A plan is underway for organization of a new Milwaukee independent exhibitors' group.

Chicago Appeals Heard

Four Chicago code cases occupied the attention of the Campi appeals committee yesterday. They included B. Banowitz and H. Applebaum, Little Paramount, Chicago, vs. Biograph Theatre, same city; George W. Kruger, Hinsdale Theatre, Hinsdale, Ill., vs. LaGrange Theatre, LaGrange, Ill.; Panorama, Chicago, vs. Sheridan, Buckingham, Vogue and Keystone, in the same city; Lake Theatre Corp., Michigan City, Ind., vs. Tivoli Theatre, in the same city. The first three were clearance cases, while the fourth involved overbuying.

Para. Trustees Stay Under New Act

(Continued from page 1)

trustee. Arthur A. Ballantine of the firm of Root, Clark, Buckner & Ballantine told the court Richardson was willing to serve.

Samuel Zirn, counsel for a group of bondholders, launched into a general criticism of Adolph Zukor, Ralph Kohn, Robert T. Swaine, Sir William Weisman, John D. Hertz, Frank Vanderlip and certain Chase National Bank officials who have had dealings with Paramount since the bankruptcy. Judge Coxe objected to a review by Zirn of statements made at previous hearings, but Zirn claimed that in deciding the issue, the court should treat the trustees as new names.

Two minor stockholders also voiced objections to the trustees.

Holds Trustees Qualified

Alfred A. Cook, representing the stockholders' protective committee which claims to have 48 per cent of the outstanding stock on deposit, stated the work of the temporary trustees was satisfactory and he felt they were qualified to continue. He said they had efficiently performed their duties under guidance of able counsel. Cooke also said that within a short time his group will have more than 50 per cent of the outstanding stock.

Nathan Burkan, representing merchandise creditors whose claims total $2,500,000, complimented the three trustees for their conscientious desire to safeguard the company which was on the rocks and is now emerging from its plight. He said:

"We're not interested in following flimsy litigation. We know no three men better qualified for the posts and recommend their continuance, feeling secure that our interests will be protected.

"It would be an injustice to us to change the personnel at this time," he concluded.

Further Boost for Trustees

Malcolm Sumner, who represented bondholders whose holdings total $1,500,000, declared he was in closer touch with the work of the trustees than any other counsel save for those representing trustees, dealing directly with them on important issues. He said: "This estate is extremely fortunate in having such men as Hilles. Leake and Richardson and I believe they are the greatest protection to bondholders of the estate.

"All creditors owe a deep debt of gratitude to these men who are willing to serve," he stated.

Before appointing the trustees to permanent posts, Coxe and Zirn indulged in some repartee which brought on a number of laughs.

At one point in his objections, Zirn stated that Richardson would return to Fox Film after the bankruptcy. He added that Richardson would also return to the post he held in Chase National Bank.

"The Bank may not be there," suggested Judge Coxe.

To which Zirn replied: "You are very naive about these things."

At another point where Zirn wanted to impress the judge about the latter's knowledge of receiverships and bankruptcies, the court interrupted: "Yes, I also know about the receiverships you've been connected with."

Zirn later brought out the point that at a previous hearing he had tried to submit papers and Judge Coxe had refused to admit them into the record.

The judge answered: "I didn't have to look at the papers. I looked at you."

Further on Zirn apologized for taking up so much time of the court with his objections, to which Coxe replied:

"You're not wasting my time. You're wasting your own."

When Zirn brought out the alleged salary of Zukor for 1929 amounting to $900,000, he said this was 100 times more than Coxe received a year. The judge immediately corrected Zirn and said this was not so.

After the hearing was declared closed Zirn persisted in an open discussion with Judge Coxe on the merits of his objections until the judge finally rushed into his chambers and signed the order making official the new appointments.

Looking 'Em Over

"Nell Gwyn"

(British and Dominion-United Artists)

Exactly as "Henry VIII" dipped into the private affairs of that ruler of Britain and as "Madame Du Barry" will tell much, if not all, of what went on in the court of one of France's many Louis, now comes "Nell Gwyn" to narrate considerable of what transpired in the personal life of Charles II, another of England's rulers.

Nell, with a doubtful paternity—actress, rowdy and common—but possessed of that which was required to make Charles II forget affairs of state and the Duchess of Portsmouth, did her appointed task well enough. She knocked 17th century court decorum galley west, embarrassed the king much but entertained him more and maintained her hold by her wits and nature's endowment until the era ended with the king's death.

Anna Neagle, as Nell Gwyn, does a generally good job. Sir Cedric Hardwicke as the king, is suave and competent, while other roles, mostly secondary, are adequately filled. In production values, the picture stands up. In dialogue, it has a number of rough spots which become dubious in these days of church campaigning against the objectionable.

By and large, "Nell Gwyn" is a commendable addition to the cycle started by Charles Laughton as Henry. Running time, 75 minutes.

KANN

Paramount Men Here

Barney Balaban of Chicago, N. L. Nathanson of Toronto and Martin Mullin and Sam Pinanski of Boston, Paramount theatre partners all, are in New York. Their presence here at the same time is described as "routine."

Charter Is Sought By Western States

Oklahoma City, July 10.—Western States Theatres Co. has filed application for a charter. The charter was withheld by R. A. Sneed, secretary of state, until the original articles of incorporation for Lowenstein Theatres, Inc., are presented. The name is being changed to Western States.

Sponsors of the new corporation remained in the background, with a city lawyer carrying on negotiations. The attorney said architects are at work on plans for a theatre seating 3,000 to cost $1,000,000.

Foster McSwain, former owner of Ada theatres, is head of the new organization.

Fox Talent Resting For Summer Months

Hollywood, July 10.—Fox talent will be scattered during the rest of the summer in spite of the fact six pictures are scheduled at Movietone City.

Will Rogers is away. Winfield Sheehan and Janet Gaynor are scheduled for European vacations; Warner Baxter is on loan to Columbia for one picture and is slated for another at M-G-M; Frank Lloyd is at M-G-M to direct "Mutiny on the Bounty"; James Dunn is on loan to M-G-M for "Have a Heart"; John Boles is on loan to Radio for two pictures; Spencer Tracy is slated for a six-week vacation; Shirley Temple is at Arrowhead for six weeks; Norman Foster is in Tahiti; Alice Faye is in the East, and Lilian Harvey and Charles Boyer, who were scheduled for one each this summer, are no longer with the company.

In spite of the dearth of talent three Spanish picture, two Charlie Chans and one featuring Pat Paterson are scheduled.

Radio, McCrea in Accord

Hollywood, July 10.—Radio has withdrawn its suit against Joel McCrea charging breach of contract. The actor, who was suspended for refusing to be loaned out to Universal, has been re-signed to a new long termer under which his first film will be "The Richest Girl in the World." He will play opposite Miriam Hopkins.

Mannix, Selwyn Coming

Hollywood, July 10.—E. J. Mannix and Edgar Selwyn were on their way to New York by plane tonight, the former on a visit to his sick mother and the latter on business.

Shea Unit Changes Name

Dover, Del., July 10.—Shea Theatres Corp. has changed its name to Nyrie Theatres Corp., Erie, N. Y.

Goldman Lines Up New Penn Circuit

(Continued from page 1)

first run outlet in Central City, Pa., but will not divulge the name of the theatre at this time. The only houses there not controlled by Stanley-Warner are the Arcadia, a second run, and the Fox Locust, held by Al Boyd and Fox. Rumor indicated Goldman might be interested in the Mastbaum, but this does not seem likely.

The chain may start functioning Sept. 1 with about 25 houses. Goldman is now touring to line up sites, which will include theatres already established and building locations.

A statement issued in behalf of the new enterprise declares that the company is powerfully supported and strongly financed and has access to all major product, indicating a possible treaty with Stanley-Warner, which controls first run major product, with the exception of Fox.

Cleveland Dual End Stirs No Complaint

(Continued from page 1)

virtually all Cleveland theatres. No complaints have been noted from any source which buys tickets.

Sunday was the first day under the new order. Business on that day was better than the average Sunday level at most houses. Exhibitors, however, attribute the increase more to cooler weather than the single bill policy.

Monday's business at both circuit and outlying houses was generally better than that on duals the previous Monday. Exhibitors, who had anticipated a decline, are delighted with the results of the single-feature policy. The better-than-average business on Sunday and Monday with singles is taken as proof that when the public is picture-minded, the weather favorable and the show satisfactory, it makes no difference whether two films or one is shown.

Import Curb Lifted By Czecho-Slovakia

(Continued from page 1)

growing among exhibitors who found their revenue cut. Several compromises suggested to American distributors have been rejected.

No word of the removal of Czecho-Slovakian restrictions had been received yesterday at the Hays office, it was stated.

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PERMIT CANCELLATION OF FILM ON MORAL GROUNDS

Fox Met. Deal Said Set At $4,500,000

Warners and Loew's are understood to have reached an agreement late last night to tip the bid for Fox Metropolitan Playhouses from $4,000,000 to $4,500,000. It is believed the new bid will be made for the bonds and not leases.

Counsel for Warners, Loew's and the Fox Met. bondholders' committee worked out details of the deal all yesterday afternoon and until late last night.

When the postponed hearing on the

(Continued on page 7)

Stay Is Refused in Phila. Duals Suit

PHILADELPHIA, July 11.—U. S. District Judge George A. Welsh today denied an application for a preliminary injunction asked bv Harry Perelman against major distributors in the double feature case started nearly a month ago.

In handing down the decision the court commented that the case involved so many ramifications and covered so broad a territory that a preliminary injunction would be unfair to the defendants. It was indicated that a hearing with testimony would be in order in the fall.

U. S. Quiz May Part A. T. & T. from Films

WASHINGTON, July 11.—Investigation of the A. T. & T. by the new Federal Communications Commission may result in the company's divorcing itself from all film connections, it was indicated today as the commission organized for operation.

It was indicated that the investigation would begin almost immediately

(Continued on page 7)

Anti-Sherman Move Is Called "Illegal"

Attempts to oust Harry Sherman, president, and certain other officials of Local 306 are described by members

(Continued on page 7)

Statement Outlining Plan To Extend Cancellations

Official text of the Hays statement extending cancellation privileges to pictures objected to publicly on moral grounds follows:

"Amplifying Will H. Hays' statement of two weeks ago, which concerned the action taken to amend and strengthen the system of industry self-regulation established by the M. P. Producers and Distributors of America, the following companies, members of that association, announced yesterday that each would grant to exhibitors the right to omit the exhibition of any of their motion pictures released prior to July 15, 1934, against which there is a genuine protest on moral grounds:

"Columbia Pictures Corp.

"Educational Film Exchanges, Inc.

"First National Pictures, Inc.

(Continued on page 6)

Zoning Delay Holds Up New Season Sales

With only 10 of the 31 clearance and zoning boards filing new schedules by July 1, distributors are at a loss at what to do about selling new season's product, contending they cannot go ahead with deals until new schedules are set up for 1934-35.

Campi today will take some kind of action on the new schedules and it is possible a recommendation may be made for an extension of the July 1 deadline.

Local boards throughout the country refuse to hear or file schedules be-

(Continued on page 7)

Assessment Changes Under Campi Study

Changes in allocation of exhibitor assessments for the second half of 1934 were discussed yesterday by the code finance committee, comprising Nathan Yamins, Harold S. Bareford and W. C. Michel. The problem is now being studied and worked out and a plan will be presented to Campi for approval shortly.

The first half year's assessment

(Continued on page 7)

New Theatres Are Begun in Many Places

Almost imperceptible in its markings, but evident, nevertheless, is a revival of theatre construction in scattered sections of the nation.

Long dormant, plans to build new houses where they are felt to be needed or to embark on a replacement campaign where existing theatres are outmoded developed in a number of cities and towns yesterday.

One sales manager expressed the reaction of all yesterday when, advised of the facts, he said:

"There couldn't be any more definite

(Continued on page 7)

Bernhard Silent on Closings in Phila.

Joseph Bernhard, general manager of Warner Theatres, yesterday refused to discuss reports from Philadelphia that the announced plan of closing his circuit's theatres there unless the church boycott was lifted was to be abandoned.

"The statement I made on July 6 is the last statement I wrote on the matter," he said. "I do not propose making another one."

Majors Voluntarily Agree—Code Clause Applies First

Pictures to which a "genuine protest" has been made on moral grounds and released prior to July 15, when the reinforced Production Code Administration goes into operation, may be cancelled by exhibitors without obligation for their contracted rental.

Ten major companies, all members of the Hays organization, yesterday voluntarily united on this plan as a further indication to protesting church organizations that their intention of eliminating outside criticisms of objectionable pictures was no empty gesture.

The sweeping cancellation privilege was determined upon by Columbia, Educational, First National, Fox, M-G-M, Paramount, RKO, United Artists, Universal and Warners, but provides that the 10 per cent cancellation clause in the NRA code is to prevail first.

The code clause authorizes cancellations at the rate of one in every group of 10 where contracted rentals average $250 or less per picture in situations where the exhibitor has bought all product offered him and where he not only has signed the code assent form and paid his assessment but where he has observed to the full the

(Continued on page 6)

Mundus Raises Its First Group to 27

Mundus Distributing Corp., newly formed unit for distribution of foreign pictures in association with United Artists, has increased its first list to 27, according to Earl W. Kramer, general manager. Releases start July 23.

It is understood all the films are English, many of them by British & Dominions. Among the producers and directors represented are Alexander Korda, Herbert Wilcox, and Rowland V. Lee.

In the list are:

"Cash," starring Robert Donat; "Blue Danube," with Joseph Schildkraut; "Men of Tomorrow," with Donat and Merle Oberon; "The Private Life of Don Juan," with Douglas Fairbanks; "Night of the Garter," with Sydney Howard and Winifred Shotter;

(Continued on page 7)

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Cohn, Spingold Fly West from Chicago

CHICAGO, July 11.—Jack Cohn and Nate Spingold caught the 3 o'clock plane this morning for the coast following last night's banquet at the French Casino which highlighted the Columbia convention here.

Group meetings were held this afternoon.

Abe Montague, general sales manager, was presented a testimonial scroll in appreciation of his leadership. It was signed by branch managers and salesmen.

State Righting "Revolt"

Mentone is state righting "The World in Revolt," its first feature, and already has sold five territories. Phil Meyer of General Pictures Exchange has purchased Greater New York; A. G. Spencer of Chicago, Northern Illinois and Wisconsin; Major Film Co., Seattle, Oregon, Washington, Montana and Northern Idaho; West Coast Booking Office, Los Angeles, Arizona, Nevada, California and Hawaii; William Brumberg, Ohio and Kentucky.

Mochrie to Aid Smith

Robert Mochrie, Warner branch manager in Philadelphia, has been made assistant to A. W. Smith, Jr., in charge of eastern and Canadian distribution. He will be succeeded at Philadelphia by William Mausell, member of the sales staff. The change will be effective Monday.

Insiders' Outlook

FURTHER underwriting their own promise of removing the objectionable elements in their product, the backbone companies of the industry yesterday went beyond original measures in granting to exhibitors, one and all, the privilege of canceling out pictures where public protest, made in good faith, has been raised against them. This step, covering releases prior to July 15, when the bulwarked Production Code Administration will make product released thereafter behave with more decorum, is one of the most significant in recent industry history, a forthright evidence that direct action is to prevail. . . .

▼

There are some governing restrictions. Naturally, there must be if the entire business of distribution is to avoid being thrown out of kilter. The new cancellation privilege goes for code signers and those who have not signed the government code. It provides that the 10 per cent cancellation clause under the NRA document is first to be exhausted. It does not provide that cancellations have to stop when exhibitor prerogatives under that clause have been exhausted. If a theatreman is entitled to a four-picture cancellation under the code and has applied this to some or none, pictures rejected on moral grounds first apply to the four. If his quartet has run out, he gets the cancellation anyway, but must play a replacement supplied by the distributor. Thus, conceivably, any exhibitor may reject as many pictures as have been subject of protest locally on moral grounds. . . .

▼

What he may adjudge objectionable will carry no weight. The objections must have been voiced in his city or town by a church or civic group. Moreover, the objections must have been made in good faith. Where the latter question becomes involved or subject to interpretation by either exhibitor or distributor, the machinery provides adjudication is to be thrown to the local grievance board under the NRA code. As an additional safeguard against chiseling exhibitors, it is provided that the moral ground issue is to be one which has developed at the hub of his own operations. Thus, an exhibitor in the Bronx cannot exercise the right now extended to him because a bona fide objection against a specific picture has been voiced in Brooklyn. Or in Manhattan. Or in Staten Island or in Queens. . . .

▼

It is essential to avoid misunderstandings and a beclouding of the situation to again point out that the government code cancellation clause is to prevail. It must be exhausted first. It is essential to repeat that there is no numerical limitation under the new cancellation setup once the government code clause has been observed. Producers and distributors, beyond all question in deadly earnest in their endeavors to meet a worrisome situation, national in scope, yesterday went further than ever they have before. The dirty picture situation—exaggerated maybe, but no phantom certainly—is well on its way out of the running. . . .

▼

Complications in the Loew-Warner bid for Fox Met, up in Federal Court this afternoon, were reported last night. Rumored was a new counter bid of $5,000,000 by John Dillon, of Hayden, Stone and Co., reputedly carrying with it as a "must" a condition that the houses involved must franchise for Fox product. This would indicate Sid Kent has galvanized himself into action and made necessary a raised ante on the part of Messrs. Schenck and Warner. Intriguing, as well, is a plan held closely at RKO. It's interesting. . . .

▼

There, deals are reported hanging for about 18 or 19 theatres, each one of them in the dead center of zones which would be Loew-dominant if that circuit's offer is accepted. Now subsequent run houses, the dope is Loew would keep its potential acquisitions as they are, with few exceptions, in order to keep the original Loew theatres first run in their neighborhoods, as they now are. The RKO scheme, it is said for it, contemplates making each one of its proposed 18 or 19 additions first run, thereby giving the Loew annexations plenty of hell. How and why first run, you could ask? Merely because the theatre spots lined up, generally speaking, are in zones where RKO does not operate now. Pretty picture and potentially a lot of gory fun. . . .

KANN

Trading Light on Big Board

	High	Low	Close	Net Change	Sales
Consolidated Film Industries	3	3	3	.....	100
Eastman Kodak	99½	97½	97½	— ½	700
Fox Film "A"	12⅝	12⅝	12⅝	— ⅜	200
Loew's, Inc.	27⅞	27⅛	27½	+ ¼	4,400
Paramount Publix	3⅞	3⅝	3⅝	— ¼	200
Pathe Exchange	2⅛	1⅞	1⅞	— ¼	4,900
Pathe Exchange "A"	20½	19½	19½	— ⅞	300
RKO	2⅜	2⅜	2⅜	+ ⅛	100
Warner Bros.	5	4¾	5	+ ⅛	1,200

Technicolor Continues Rise on Curb

	High	Low	Close	Net Change	Sales
Technicolor	13½	13	13½	+ ⅝	200

Paramount Broadway Bonds Off 2½

	High	Low	Close	Net Change	Sales
General Theatre Equipment 6s '40	7½	7⅛	7⅛	— ⅜	7
Loew's 6s '41, ww deb rights	101	101½	101	+ ½	4
Paramount Broadway 5½s '51	38⅞	38⅞	38⅞	—2½	4
Paramount F. L. 6s '47	49	49	49	.....	5
Paramount Publix 5½s '50	49½	48¾	48¾	+ ¼	2
Pathe 7s '37, ww	99¼	99¼	99¼	— ½	1
Warner Bros. 6s '39, wd	54¾	54¼	54¼	+ ¼	6

Two More Regionals To Be Held by Ross

Two more conventions are to be held by Ross Federal Service, Inc., under a new three-district plan worked out prior to the New York meet last week.

The next one will be held in Chicago July 25 and will be attended by Walter I. Brown, Chicago district manager, and the following branch managers: Ralph W. Thayer, Cincinnati; Bert Jolley, Indianapolis; Howard Donaldson, Detroit; Charles Wagner, Milwaukee; Harry Schiffrin, Des Moines; Henry Gleiss, Omaha; Paul A. La Roche, Kansas City, and Dwight Mills, St. Louis.

After the Chicago meet Harry A. Ross, president, and D. A. Ross, vice-president and manager of branch operations, will leave for the coast to hold further sessions there.

Southern Indies to Fight Big Circuits

ATLANTA, July 11.—One of the projects decided upon before the close of the two-day convention of the G. F. T. A. Independent Theatre Owners' Ass'n. was the raising of a fund to fight invasion of circuits in this territory. Details of how this is to be accomplished were not divulged. Another convention is to be held here Aug. 8.

Universal Completes Two

HOLLYWOOD, July 11.—Universal yesterday completed "Romance in the Rain," with Roger Pryor and Heather Angel and "Million Dollar Ransom," written by Damon Runyon and starring Philip Holmes.

Close Deal on "Ra-Mu"

H. H. Rogers, Jr., has closed a deal with Capt. E. A. Salisbury for world distribution of his latest adventure picture, "Ra-Mu," which was made in the Marquesas and Samoan Islands.

Plan Jewish Benefit

Nathan Burkan yesterday headed a group of Jewish interests which met at the M. P. Club to discuss a benefit to be held Sept. 5.

Vitagraph, Inc., Distrib

HOT WEATHER

eo, the Champ,
hanks his friends for
he good things they're
aying about his
TAR SPANGLED BANNER
or 1934-35!

KNOCKED COLD!

Very pleasant to note that pictures like "The Thin Man" "Operator 13" "Viva Villa!" "Sadie McKee" "Manhattan Melodrama" "Men in White" etc. . . . are being followed by two of the BIGGEST HITS EVER RELEASED in MID-SUMMER!

EXTRA! PREVIEW!

Hollywood Reporter says:

"'BORN TO BE KISSED' is bright and filled with laughs. Grand entertainment. Harlow at her best. Simply swell in addition to being luscious eyefull!"

JEAN HARLOW
"BORN TO BE KISSED"
with **LIONEL BARRYMORE**
FRANCHOT TONE
LEWIS STONE • Jack Conway, Director
Produced by Bernard Hyman

WALLACE BEERY
JACKIE COOPER
"TREASURE ISLAND"
with **LIONEL BARRYMORE**
LEWIS STONE • Otto Kruger • Directed by
Victor Fleming • Produced by Hunt Stromberg

Block Booking Not at Fault, Asserts Mayer

Reformers' zeal is misdirected in attacking block booking; it should be concentrated on support of good pictures, declares Arthur L. Mayer in the current issue of *Liberty*.

Here's the way he puts it:

"I believe that there is no exhibitor who does not greatly desire to be numbered among the socially useful members of his community and who does not thrill with pride when his pictures receive critical approbation for their artistic or educational merits.

"Indeed I think that most exhibitors would make heavy personal sacrifices to forego showing shabby, meretricious, or salacious pictures. The reason they do not do so is unrelated to any trade practices; it is because the public has thus far been completely indifferent to pictures which failed to conform to the accepted canons of public entertainment.

"If the reformers' zeal, instead of being wasted on false clues, could be thrown into campaigns for the support of meritorious and unusual pictures so that it would prove even moderately profitable to exhibit them, the problem of block booking would rapidly sink into insignificance."

Mayer writes as an exhibitor. He is operator of the Rialto and former advertising director of Paramount.

Can't See All Films

With more than 25,000 miles of film in circulation daily, he points out, playing in 15,000 or more theatres and being distributed from 32 key cities, exhibitors from outlying districts would have to spend most of their time at exchanges looking at film if they were to buy each feature and each short on its individual merits. Some exhibitors play 200 or more pictures a year, he points out.

"Actually block booking is the only protection which most small exhibitors have from being deprived of the first run of any desirable product," he writes.

Discussing cancellations, he points out that the bulk of rejections are on the so-called high class features. In the St. Louis territory, he says, Warners secured only 149 play dates out of 230 contracts on "Alexander Hamilton"; no dates at all could be secured at first on "Disraeli." On the other hand, "Scarface" played all its contracts.

"In the Salt Lake City territory," he goes on, "the only way exhibitors can be compelled to play 'Alice in Wonderland' is by refusing to give them Mae West pictures until they do. On 'Old Ironsides' price adjustments were demanded and given in approximately 15 per cent of the contracts in order to get play dates.

"This compares rather dismally with 'Little Caesar,' which was played by every large exhibitor in the territory.

"The Pittsburgh exchange did not receive a single cancellation on 'Public Enemy,' 'I'm No Angel,' or 'So This Is Africa'; but 'Berkeley Square' was cancelled by 15 per cent of the exhibitors and 'Voltaire' by 25 per cent. 'Cavalcade' was cancelled by the majority of small towns, and larger cities insisted on a reduction in price."

"The demand for risque, gangster, or wild youth pictures exceeds that for artistic, educational, or classical productions," he goes on. " 'Little Women,' with the glamorous new star Hepburn, has scored a sensational success, and in the larger cities 'Henry VIII' has done exceedingly well. These exceptions, however, only emphasize what every exhibitor has learned to his cost. The so-called 'best element' in the community cannot be relied upon to support in large numbers the type of picture which they claim to have favor."

Statement Outlining Plan To Extend Cancellations

(*Continued from page 1*)

"Fox Film Corp.
"Metro-Goldwyn-Mayer Distributing Corp.
"Paramount Pictures Distributing Corp.
"RKO Distributing Corp.
"United Artists Corp.
"Universal Pictures Corp.
"Warner Bros. Pictures, Inc.

"This means that in any community in which there is genuine concerted objection to the showing of a particular picture on moral grounds an exhibitor who has contracted to exhibit that picture will be given the right to omit its exhibition without obligation for its rental.

"The reason for the limitation of this cancellation privilege to pictures generally released prior to July 15 is because that is the date upon which the new regulatory provisions go into effect. After that date the association's Production Code Administration will function with increased authority and the board of directors of the association will assume final responsibility for all future motion pictures distributed by members of the association.

"To identify all films bearing the approval of the association's Production Code Administration, a distinctive seal has been adopted and will be shown on the screen directly after the main title of all pictures. The seal, which every picture released after July 15 by members of the association will bear, will be evidence of the industry's pledge that every precaution has been taken to insure compliance with the production code of the M. P. Producers and Distributors of America."

Local Church Moves Halted for Cardinal

There was a respite yesterday in the war on objectionable films. The Legion of Decency is awaiting publication of a statement on the picture situation by Cardinal Hayes in the *Catholic News* here tomorrow.

It will not proceed with the fight until it learns how the prelate feels about the question, with its future moves governed by suggestions that may be made in the statement.

Tomorrow the Federal Council of Churches of Christ in America will hold a meeting at its headquarters here to discuss further details of its campaign.

Federation Eyeing Drive

The Federation of the M. P. Industry is awaiting developments of the Catholic situation before it makes any new moves, Harry Thomas, president, stated yesterday.

Coast Conference Held

Hollywood, July 11.—Studio heads conferred with Will H. Hays and Joseph I. Breen today on the church film drive.

Five Appeals Heard By Campi Committee

Five appeals were heard yesterday by Campi's special code committee, consisting of Harry K. Hecht, Ed McEvoy and Nathan Yamins. They are:

Westmont, Westmont, Ill., against the Tivoli, Downers Grove, Ill., on clearance and zoning.

P. C. Osteen, Carolina, Anderson, S. C., against Strand, same city, on overbuying.

E. B. McCurdy, Columbia, Baltimore, against Leon Zeller, Roy, same city, on reduced admissions.

Philip Sliman, Evangeline, New Iberia, La., against Palace, same city, on overbuying.

Lewis Isenberg, New Ariel, Buffalo, against E. Wick, Majestic, same city, on reduced admissions.

Most of Campi's time today will be spent hearing recommendations of appeal committees on 10 cases. Decisions will be handed down and opinions will be rendered by the legal committee. In addition, the legal committee will have ready for Campi approval recommendations on 13 appeals already heard by Campi at previous sessions.

Cincy Grievances Clear

Cincinnati, July 11.—The grievance board now has disposed of all cases on the docket. No further meetings will be held until and unless additional cases are filed.

Dinner for Lewen Pizor

Philadelphia, July 11.—A testimonial dinner by the M. P. T. O. of Eastern Pennsylvania, Southern New Jersey and Delaware, of which Charles Segall is president, will be tendered to the retiring president, Lewen Pizor, on Monday evening at the Bellevue Stratford. Three hundred guests are expected.

Film May Be Cancelled on Moral Basis

(*Continued from page 1*)

stipulations under his contract for service.

The voluntary action which developed yesterday will reduce cancellations allowable under the code where the exhibitor, entitled to them, has not previously exercised his right. In the event, however, that an exhibitor has already consumed all rejections permitted under the government code, he will now be permitted to carry cancellations further under the new offer.

"This means," declared the official Hays office statement, "that in any community in which there is genuine concerted objection to the showing of a particular picture on moral grounds an exhibitor who has contracted to exhibit that picture will be given the right to omit its exhibition without obligation for its rental."

Must Chose Another Film

By "genuine concerted action" is meant not personal objections to a given film on the part of an exhibitor, but publicly expressed local objections from a church or civic group. It is understood that in those instances where a picture is elected for cancellation by the exhibitor, the distributor is to have full privilege of insisting that the exhibitor accept another feature by way of replacement.

In the event the good faith of a particular case in point is involved, it is further understood the exhibitor and the distributor are to submit the decision to their local grievance board under the NRA code.

The purpose of limiting the offer to releases prior to July 15 ties in with the strengthened Production Code Administration which becomes effective Saturday midnight. After that date, the further entrenched machinery under Joseph I. Breen, Production Code Administrator, will become operative. Appeals no longer then will be heard in Hollywood, but transferred to New York where the board of directors of the Hays organization will be the final judges.

Unannounced but part of the new system, nevertheless, is a system of cash fines for violations. These will be applied to the offending distributor and are to be $25,000 for each infraction of the production code.

Mary Pickford to Be Honor Guest at Fair

Hollywood, July 11.—Mary Pickford will leave here in time to reach Chicago on Saturday morning to be the guest of the World's Fair management. It will be known as "Mary Pickford Day."

From Chicago she will go to New York to close a deal for publication of her series of writings on Hollywood.

Flash Review

Elmer and Elsie— . . . For neighborhoods . . . this will go nicely as a programmer. . . .

This film will be reviewed in full in a later issue of MOTION PICTURE DAILY.

Fox Met. Deal Said Set At $4,500,000

(Continued from page 1)

foreclosure sale is held before Federal Judge Julian W. Mack this afternoon, counsel for Randforce and Skouras will ask the court for action one way or another. The independent operators claim that the morale of the circuits has been broken down to the point where managers are neglecting their jobs.

Although John H. Amen, special assistant to Attorney General Homer S. Cummings, is expected to be on the scene again today for the Department of Justice, the NRA has taken a sudden interest in the deal and is understood looking over all angles for possible code violations. Division Administrator Sol A. Rosenblatt is keeping in close touch with the proceedings.

Loewites yesterday denied offers had been made to Sam Rinzler and Louis Frisch to operate their present holdings under a Loew management deal if and when the court approves the bid. The same denial holds for George P. Skouras, who was said to be in line for the Long Island units.

However, both the Randforce and Skouras operators have groups of theatres not involved and will continue in the local picture notwithstanding the decision of Judge Mack.

On July 6, MOTION PICTURE DAILY reported that a new bid of $4,500,000 would be made by Loew's and Warners, but this was promptly denied.

Mundus Raises Its First Group to 27

(Continued from page 1)

"Over-Night," starring Donat; "Venetian Night," Schildkraut and Brigette Helm; "That's a Good Girl," Jack Buchanan; "Wolves," Charles Laughton and Dorothy Gish; "Girl from Maxim's," Frances Day; "Chance of a Night Time," Ralph Lynn and Miss Shotter; "Almost a Divorce," Howard and Nelson Keys; "Counsel's Opinion," Binnie Barnes and Cyril Maude; "Plunder," Tom Walls and Lynn; "General John Regan," Henry Edwards; "Wedding Rehearsal." Roland Young and Oberon; "The Love Contract," Owen Nares and Miss Shotter; "A Night Like This," Walls and Lynn; "It's a King," Howard; "The King's Cup," Dorothy Bouchier and Milton; "Mischief," Lynn and Miss Shotter; "Betty in Mayfair," Bushell and Miss Shotter; "Say It With Music," Percy Marmont and Jack Payne and band; "Leap Year," Walls; "The Ghost Walkers," Walls and Lynn; "The Trouble Cruise," Howard; "Girls Please," Howard and Jane Baxter, and "The Blarney Stone," Walls.

Physical distribution will be handled through United Artists, but a separate sales staff has been at work since July 9.

Mundus, Gaumont Not Connected—Lee

Mundus Distributing Corp., the newly formed unit which will handle British pictures in this country in association with United Artists, will have no connection with Gaumont British, according to Arthur A. Lee, vice-president of Gaumont British Picture Corp. of America.

Lee says his company is now concentrating on 12 features called "The Select Twelve" which are separate from the company's 1934-35 list and are being screened in advance of sale.

N'Orleans Is Agitated

New Orleans, July 11.—This fair home of the Sazerac, suh, is worried about its reputation. More, it's agitated.

Somebody suggested that calling Mae West's new opus "Belle of New Orleans" would—er—ah—would convey the wrong impression. The suggestion swelled into a chorus, and now everybody except Huey Long is talking—or telegramming.

First it was the Association of Commerce, then it was the Kiwanis Club, now it's the Federation of Women's Clubs and the Better Films Council. Mayor T. Semmes Walmsley has joined those who are sending telegrams to Will H. Hays.

J. K. Byrne had the Kiwanis Club pass a resolution saying the title would give a "false impression" of New Orleans. Frank Martin of Kiwanis objected and said the title would be good advertising for the city and would bring tourists to a liberal city without blue laws, but he was greeted with raised eyebrows and just a trace of pained surprise.

Mrs. Isabel Giefers, president of the women's federation; Mrs. A. S. Tucker, president of the Better Films Council, and Mrs. Bettina Gunczy, secretary of the National Board of Review, were among those who wired Hays.

It's the biggest disturbance since the last time the levee broke and flooded St. Louis and Basin Streets.

New Theatres Are Begun Many Places

(Continued from page 1)

or encouraging indication of returning good times."

Here is what reached MOTION PICTURE DAILY yesterday:

DETROIT, July 11.—Several new Michigan theatres are planned.

A. C. Early, Kalamazoo showman, plans a new house in Coldwater, Mich., and new houses will also be erected in St. Joseph and Sturgis.

Howard Lane has opened his new Alhambra in Hillsdale, a Butterfield stronghold.

CINCINNATI, July 11.—A new theatre, the first to be erected in this section for the past three or four years, is nearing completion at Lockland, a suburb, under direction of William and Sallee Bennett. The house, which will be called the Dunbar, will cater to colored patronage.

CHARLOTTE, July 11.—H. F. Kincey is reported heading a concern which will build a new theatre on the site of the Imperial, which was destroyed by fire in December, 1930. It is understood the new house will cost $50,000.

NEW PHILADELPHIA, O., July 11.—First new theatre construction reported in this area within the past five years will be a house on East High St. Paramount Theatres, Inc., will build it.

Anti-Sherman Move Is Called "Illegal"

(Continued from page 1)

of the organization as "illegal and without effect."

A group, described as "insurgents," last night met at Yorkville Casino to decide on moves.

Since the session was not called by the local itself, no cognizance will be given to the resolutions or other recommendations decided upon.

Pat Casey West Soon

Pat Casey, a member of the code studio labor committee, expects to leave for the coast shortly. He has been here several weeks and has just recovered from a slight illness.

U. S. Quiz May Part A. T. & T. from Films

(Continued from page 1)

in order that the report may be ready for submission to Congress by Feb. 1 next. While members of the commission did not intimate the line of examination that would be followed outside of the study of telephone and telegraph rates, it will be remembered that Senator Dill of Washington sought a full probe of the company's activities.

Zoning Delay Holds Up New Season Sales

(Continued from page 1)

ing filed now in accordance with a letter sent out by Campi on May 25 giving exhibitors until July 1 to file.

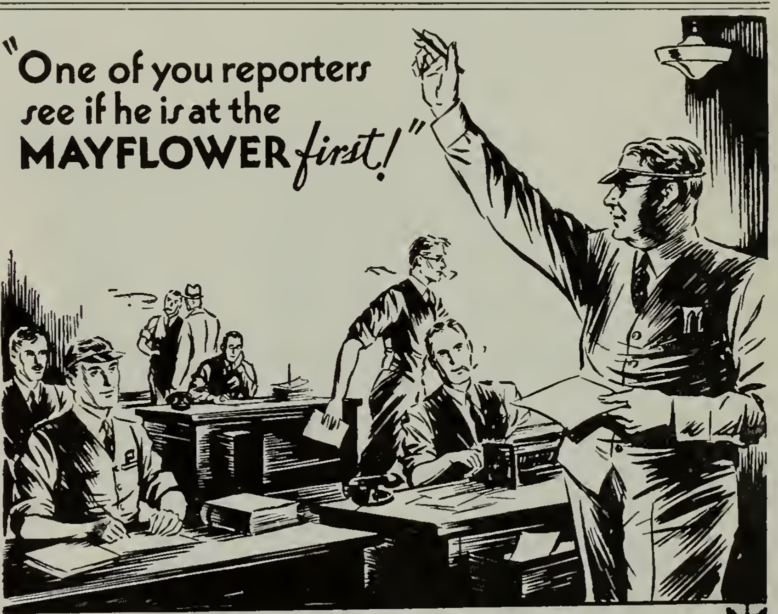
As yet no schedule has been filed for New York, although hearings have been held on Long Island zoning and appealed. The Manhattan board has yet to decide on a schedule for the territory from 59th Street to 110th Street, from Central Park West to the Hudson River.

PHILADELPHIA, July 11.—Until new procedure can be obtained from New York, the local clearance and zoning board will not hear any more cases of this nature. The board has been having trouble with definition and designation of first run theatres in various neighborhoods.

Assessment Changes Under Campi Study

(Continued from page 1)

ended July 1, but since Campi has sufficient funds on hand it is in no hurry to send out new bills. All of the first six months' assessments are not yet on hand and with the assent deadline being extended to Aug. 15, hundreds of exhibitors are expected to send in additional levies.


"One of you reporters see if he is at the MAYFLOWER first!"

NRA MEMBER U.S. WE DO OUR PART

Seasoned observers know where to locate visitors from all over the world whose names mean news

Air-Cooled Restaurants — 1000 Beautifully and Comfortably Furnished Rooms, All with Bath, Circulating Ice Water, Oscillating Fans

Single Rooms from $4
Double Rooms from $6

THE Mayflower
Washington's Finest Hotel
Mr. R. L. Pollio. Manager

"THE OLD-FASHIONED WAY"

REPORTER

"OLD-FASHIONED WAY" . . . A RIOT; Fields-Morrison Steal The Picture

"THE OLD-FASHIONED WAY"
(Paramount)

Not only is this picture to be rated as a W. C. Fields laugh special, but it introduces a brand new screen personality in the form and voice of Joe Morrison, who will give the fans something to look forward to in a big way. Get behind this one with everything you've got, because it's entertainment from start to finish and there are laughs in it for every member of the family.

Come to think of it, there is no story—just names and a situation that serve as an excuse for having W. C. Fields amuse you for seven reels, and the less excuse there is for him, the funnier he is. As the Great McGonigle, Fields is quite priceless, and is given an opportunity to go through his old juggling act, just as good as new.

The really great thing that the picture accomplishes is to bring Joe Morrison to the screen. This will prove to be a boon to Paramount, the exhibitor and the public. Morrison is the lad who started the vogue for the "Last Round-Up," but all is forgiven with his performance here. His voice registers beautifully and stops the show. Besides which, his personality is grand and he photographs like a million dollars. He should be a big help to his company in the future.

According to the list of credits, "Cleopatra Pepperday" is played by Jan Duggan. We hope the name is correct, because we want to give credit to the right person for a particularly funny sequence, the rendition of that old ditty, "Gather Sea-shells." Baby LeRoy is a riot for a few short moments—just enough to make you want more. Tammany Young gives a stand-out performance as McGonigle's amaneunsis. In fact, the entire cast, large as it is, deserve individual acknowledgment for their good work.

William Beaudine must have had a time for himself directing this, because his own good humor is reflected in the way the gags go over. There is one in which the laughs are sustained for a full ten minutes. Weston and Cunningham have devised the situations and they are plenty amusing. Gordon and Revel have given out with another hit song, "Rolling in Love," and a "Mother" song that will undoubtedly be taken "serious" because it turns out to be so good. The Reynolds' photography is right up to par every moment.

Introducing JOE MORRISON

"The really great thing that the picture accomplishes is to bring JOE MORRISON to the screen ... this should prove a boon to the exhibitor and public."
—*Hollywood Reporter*

YOU DASTARD!

Get thee hence, lest I smite thee on thy puss! Baby LeRoy and W. C. Fields engage in mortal combat.

A Paramount Picture with W. C. FIELDS and BABY LeROY

JOE MORRISON · JUDITH ALLEN · JACK MULHALL · directed by William Beaudine

The Leading Daily Newspaper of the Motion Picture Industry

MOTION PICTURE DAILY

Alert, Intelligent and Faithful Service to the Industry in All Branches

VOL. 36. NO. 10 NEW YORK, FRIDAY, JULY 13, 1934 TEN CENTS

Producers Clear Decks; Ready for a New Deal

Fixes July 20 Deadline for Fox Met. Deal

Court Grants New and Final Delay

Federal Judge Julian W. Mack yesterday gave counsel for the Fox Metropolitan bondholders' committee and attorneys for Loew's and Warners their last adjournment to iron out all of their difficulties, allowing them until July 20 to present a final bid for the 87 houses.

The former bid of $4,000,000 was tipped $500,000 yesterday and it is now a question of how the money should be applied over various properties that make up the group. If any of the theatres now included in the circuit are not delivered they are not to be included in the purchase price, it was stated. Another point in question involves contracts which

(*Continued on page* 12)

Fabian Gets Fox in Brooklyn on July 26

Having leased the Fox, Brooklyn, from the trustees, Simon Fabian takes the house July 26, when it will be closed until Sept. 1. Sydney Cohen, representing the trustees in the deal, will continue to act for them in an advisory capacity after Fabian operates.

Fabian yesterday stated he had not decided on the new policy and also that he was not negotiating for any other theatres at this time.

FWC Appraisal Holds Up Foreclosure Sale

Los Angeles, July 12.—Appraisal of assets of Fox West Coast properties is now under way and not likely to be completed until early next month. Until this is finished, no bid can be arrived at by F.W.C. for submission at the foreclosure sale, tentatively slated for the end of the month, but which may not be held until late in August.

Deal Falls Through

Although the deal was practically set, Warners and Rapf & Rudin have called off further negotiations for three of the latter's houses in New Jersey. R. & R. take the Warners' Royal in Bloomfield on Sept. 1.

No Check on "Legitimate Pleasure," Says Cardinal

Declaring "very notable progress" has been made by the Catholic Bishops' Committee in the campaign against objectionable pictures, Patrick Cardinal Hayes yesterday issued a pastoral letter in which he made it clear the Catholic Church does not contemplate "reform, restriction or suppression that would deprive the people of legitimate pleasure."

"What is to be condemned as reprehensible," continued the text, "is the glorification of crime, lust, and, in general the serious violation of the law of God and man in things sacred to home and society."

The pastoral letter is to be read from Catholic pulpits throughout the New York diocese on Sunday. Its text follows:

"May I call your attention to the important statement of the Catholic Bishops' Committee, recently pub-

(*Continued on page* 8)

Hunt Still On

Hollywood, July 12.—Paramount is still facing the title bugaboo on the Mae West film, having been unable to clear "Belle of New Orleans," which happens to have been tacked on to a play of a decade ago.

IATSE Takes Over 306 to End Battles

In a direct move to quiet further internal disturbances, the I. A. T. S. E. has taken over operation and control of Local 306, exercising its emergency rights under the international constituion.

This is the second time the international has made such a move, the first taking place about a year and a half ago when insurgents forced pressure on Sam Kaplan.

George Browne, president of the I. A. T. S. E., personally supervised

(*Continued on page* 12)

Para.-Capitol Pool Awaits New Product

Developments in the Paramount-Capitol pool are in status quo, it was stated officially yesterday.

It is likely the deal will not go into effect until the new season's product starts coming through, it was stated, since three or four big pictures for the Capitol must be lined up before shows will be dropped at the house.

K.C. Test of "Bank Nights" Up Next Week

Kansas City, July 12.—The fight over "Bank Nights," long sizzling under cover here, broke into the open today when Mrs. A. Baier, acting for herself and other exhibitors, filed a complaint against E. S. Young, Roanoke Theatre here, to test the legality of the practice.

The grievance board is scheduled to hold an open hearing on the complaint next Wednesday when all interested exhibitors may attend. In the meantime, Affiliated Enterprises, distributor

(*Continued on page* 13)

Distributors Win Coast Zoning Suit

The U. S. Circuit Court of Appeals in San Francisco yesterday upheld an appeal by major distributors and the Los Angeles Film Board of Trade from the $35,336 judgment rendered against them in the action brought by Fae Robison, former operator of the Seville, Inglewood, Cal., according to a telegram to the Hays office. The

(*Continued on page* 13)

Studio Work Slows Down As Code Observance Day Approaches

Hollywood, July 12. — Producers are ready for the new order under the Production Code Administration which becomes effective Saturday midnight.

Actual production has slowed down while pictures in work or planned have been submitted to stringent scrutiny in the wholesale effort to meet the mandates of strengthened code administration.

Studios realize their responsibility is to be measured by their adherence to the code and incline toward the general belief that with July 15 they enter upon a new day in the business.

Coast reaction to the New York decision permitting exhibitors to cancel product on publicly voiced moral grounds finds major studio executives in accord. Their opinion is that the industry thereby has manifested an

(*Continued on page* 8)

Eastern Code Board Starts Functioning

The eastern end of the reinforced Production Code Administration began to function yesterday under Vincent G. Hart, representative here of Joseph I. Breen with approval of "Hits of Today," a Mentone two-reel musical distributed by Universal.

The short was given a certificate with the Number .01. The ciphers are being used to designate pictures code-approved in the east whereas coast approbation will be designated by numbers, but no ciphers.

Campi Names More To Coast Committees

Producer elections to the actors' and writers' committees in Hollywood were named yesterday by Campi. These supplement selections by Division

(*Continued on page* 13)

Was, But Isn't

Hollywood, July 12.—Columbia's studio theme song recently was "It All Duponts on You."

The song was, it isn't today!

MOTION PICTURE
DAILY

(Registered U. S. Patent Office)

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Revive "Min and Bill"

The Capitol will stage a repeat run of "Min and Bill" for a week beginning July 20.

Loew houses in Wilmington, Columbus and Baltimore will also repeat, but M-G-M has no plans to reissue the Dressler-Beery picture nationally.

M-G-M Signs Chevalier

HOLLYWOOD, July 12.—Chevalier has signed a long-term contract with M-G-M. First, however, he goes to London to do a picture for Alexander Korda and London Films.

Weber Joins Laboratory

John Weber, former general sales manager of Majestic, has joined Producers' Laboratories, Inc., headed by Harry Glickman, as treasurer and general sales manager.

Through United Artists

"The Private Life of Don Juan" will not be released by Mundus as incorrectly stated in yesterday's issue. The production will be released through United Artists.

Loew Boston Dividend

BOSTON, July 12.—Loew's Boston Theatres Co. has declared a regular quarterly dividend of 15 cents, payable Aug. 1 to stock of record July 21.

RKO Tops Ball League

RKO heads the M. P. Baseball League as result of a 14-2 victory over NBC.

Erpi Wins Pointer In Vocafilm Action

Judge Knox in the U. S. District Court for the Southern District of New York yesterday granted Erpi's motion for the dismissal of the $65,953,125 triple damages action brought by the Vocafilm Corp. because of the plaintiff's failure to supply a $250 bond as had been previously directed by the court. The decision does not become effective for 30 days during which time Vocafilm will have an opportunity to make good the default.

Attorneys for Vocafilm informed the court that they had been unable to locate their principal either by correspondence or personal contact.

In another decision in the same court, Judge Knox directed the Flower Garden Amusement Corp. and others to show the profits made by each house since the installation of Western Electric sound. The ruling was in answer to specific interrogations asked by Erpi in the suit brought by the theatres. The houses had objected to supplying this information.

The plaintiffs, headed by the Flower Garden Amusement Corp., comprise about 40 companies operating houses in Brooklyn, the Bronx and adjacent territories.

Take Jersey Theatre

Arthur Seigel and Max Cohen have acquired the Ritz, Lyndhurst, N. J., from Haring & Blumenthal, and plan to reopen the house in August.

The independents also operate the Ramsey, Ramsey; Lyndhurst, Lyndhurst, N. J., and the Selwyn in New York.

Miss Wynyard Sailing

HOLLYWOOD, July 12.—Diana Wynyard, earlier reports notwithstanding, sails for England on the *Aquitania* Saturday from New York.

Kinzler on Vacation

Morris Kinzler left last night for Brant Lake, N. Y., for a week's vacation.

To Show "Jane Eyre"

Monogram will trade show "Jane Eyre" at 11 o'clock next Monday morning at the Criterion.

Mundus Designates 7 Of Its Sales Force

Seven sales representatives have been lined up by Mundus, according to Earl W. Kramer, general manager.

The men and their respective territories are: Jack Groves, Denver and Salt Lake; Charles M. Davie, Detroit; Harry Goldberg, Chicago; John Graham, Kansas City; Edward Sapiro, Milwaukee; Lionel Wasson, Omaha; and William R. Karsteter, St. Louis.

Additional representatives in other territories are on the way.

Wilcox Sailing, But Returns in 6 Weeks

Herbert Wilcox sails for England tomorrow on the *Aquitania*. He has completed a visit of five weeks in this country during which he arranged for the release of 23 British-made films in America through Mundus.

The director, who is also production head of British and Dominions, expects to return here in six weeks to complete further negotiations for an interchange of stars and directors between the United States and England.

Dubinsky Home Bombed

KANSAS CITY, July 12.—Ed Dubinsky's son narrowly escaped injury when a bomb exploded early this morning in the home of the head of Dubinsky circuit.

Dubinsky definitely blames the operators' and stagehands' unions here and at St. Joseph, Mo., with whom he has been at odds for several months. The Dubinsky group is non-union.

Libel Appeal Heard

LONDON, July 12.—The libel suit of Princess Irina Alexandrovna Youssoupoff against M-G-M came up for rehearing today on an appeal brought by the producer. At the first trial the Princess, who claimed she had been libeled in "Rasputin and the Empress," won an award of $125,000.

Para. Meeting Set Back

A special Paramount creditors' meeting slated to be held yesterday morning before Referee Davis was postponed until July 26.

Eastman Up ½ on Big Board

	High	Low	Close	Net Change	Sales
Consolidated Film Ind., pfd.	13½	13⅜	13⅜	— ⅝	100
Eastman Kodak	98¼	98	98	+ ½	400
Fox Film "A"	13	12⅝	12⅝	— ⅛	300
Loew's, Inc.	27½	27	27⅛	— ⅜	1,700
Loew's, Inc., pfd.	91	91	91	+ ⅛	100
Paramount Publix	3¾	3⅝	3⅝	.....	800
Pathe Exchange	1⅞	1½	1⅞	.....	2,900
Pathe Exchange "A"	19½	19½	19½	.....	400
RKO	2⅛	2⅛	2⅛	— ¼	200
Universal Pictures pfd.	39	39	39	.....	10
Warner Bros.	5	4¾	4⅞	— ⅛	1,300

Technicolor Lone Curb Issue

	High	Low	Close	Net Change	Sales
Technicolor	13½	13½	13½	.....	100

Bond Market Up Slightly

	High	Low	Close	Net Change	Sales
General Theatre Equip. 6s '40	7	7	7	.....	1
Keith, B. F., 6s '46	68	67¾	67¾	.....	1
Loew's 6s '41 ww deb. rights	100½	100¼	100½	+ ½	15
Paramount Broadway 5½s '51	40	39	40	+1¾	11
Paramount F. L. 6s '47	48½	48⅞	48⅞	.....	4
Paramount Publix 5½s, 50	48½	48⅜	48⅜	— ⅜	4
Pathe 7s '37 ww	99½	99½	99½	+ ¼	1
Warner Bros. 6s '39 wd	54⅞	54½	54⅞	+ ⅜	14

◂ Purely Personal ▸

LOU GOLDBERG is sitting on pins and needles. Tomorrow he goes to Denver for a two weeks' vacation and Warners and Fox are bidding for his book "The Unsinkable Mrs. Jay." He hopes one of the deals will be closed before he treks west.

VICENTE PADULA, Argentine actor, has been signed by FRANK Z. CLEMENTE and LEWIS MAISELL, independent producers, for the first of six pictures to be made by them in the east.

JOE TOPLITSKY, Los Angeles realtor long identified with deals involving theatres, is in town. Recently over an appendicitis operation, he will not go to Europe, as planned.

S. E. PIZA, manager of CARLOS GARDEL, Argentine tango singer, is limping these days. It's charley-horse from cavorting on the sands of the Atlantic Beach Club.

FRANK BRUNER left for Chicago yesterday to handle the publicity for Mary Pickford at the World's Fair where "Pickford Day" will be celebrated tomorrow.

GLEN CALDWELL, RKO film booker in Chicago, left for his home city yesterday following a vacation and business confabs here.

RUPERT HUGHES' story, "The Old Nest," and JAMES HILTON'S novelette, "Goodbye Mr. Chips," have been bought by M-G-M.

ANNA MAY WONG is due in on the *Aquitania* today on her way to the coast to appear with George Raft in "Limehouse Nights."

CHARLES MACDONALD, RKO theatre division manager, sailed on the *Colombia* for a vacation in the West Indies yesterday.

MORTON VAN PRAAG, general sales manager of National Screen, has been appointed a Kentucky colonel.

DOROTHY MACKAILL is back from Europe. She went abroad in WILLIAM RANDOLPH HEARST'S party.

SAMUEL CUMMINS sails for Europe tomorrow on the *Aquitania*. He's after more foreign pictures.

NATE BLUMBERG won't be able to join his family, now vacationing on the coast, after all.

BEN COHEN of the Warner theatre department in Chicago is in town on a vacation.

EDDIE GOLDEN back from Atlanta and the GFTA exhibitor convention.

CHARLES ROGERS arrives July 16 on the *Santa Paula* from the coast.

FWC Loses Coast Case

LOS ANGELES, July 12.—The grievance board today ruled in favor of American Theatres, Inc., against Fox West Coast. It was held the complainant should continue to get product in accordance with its agreement with Fox.

May Join Frisco Strike

SAN FRANCISCO, July 12.—The Theatre Federation of San Francisco, comprising over 3,000 members, has voted to participate in the general strike which will probably be called Monday.

Right in the middle of New York's blazing heat wave...

3rd

WEEK FOR SHIRLEY TEMPLE at 6200-seat ROXY (N. Y.)

FIRST 3-week run at the world's largest theatre in nearly 3 years . . . . and that was with "Bad Girl" (also FOX). Typical of the business this phenomenal FOX star is doing the country over. Watch for her next FOX picture.

"BABY TAKE A BOW"

with

SHIRLEY TEMPLE

JAMES DUNN

CLAIRE TREVOR

ALAN DINEHART

Produced by John Stone

Screen play by Philip Klein and
E. E. Paramore, Jr.

Based on a play by James P. Judge

Directed by Harry Lachman

FOX

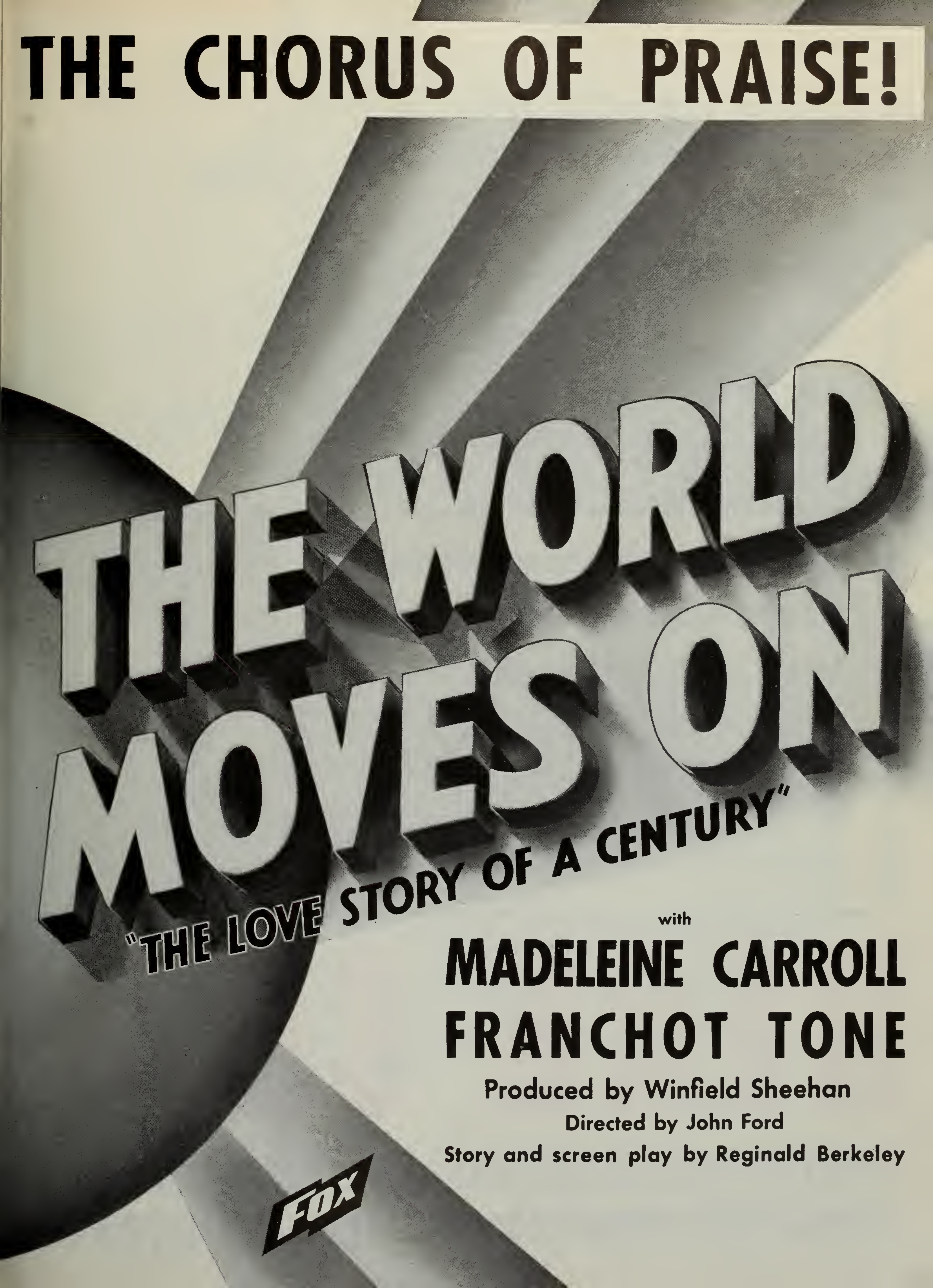
and now THE COAST JOINS

While $2.00 Criterion audiences applaud every show . . . "Variety Daily" adds to the parade of raves . . .

as follows

"Its wallop, sincerity, lavish production may be counted on to register solidly at the box office. Excellent performances . . . courageously honest screen play . . . effective direction . . . stirring music . . . superb camera work."

(Variety Daily)



THE CHORUS OF PRAISE!

THE WORLD MOVES ON

"THE LOVE STORY OF A CENTURY"

with

MADELEINE CARROLL
FRANCHOT TONE

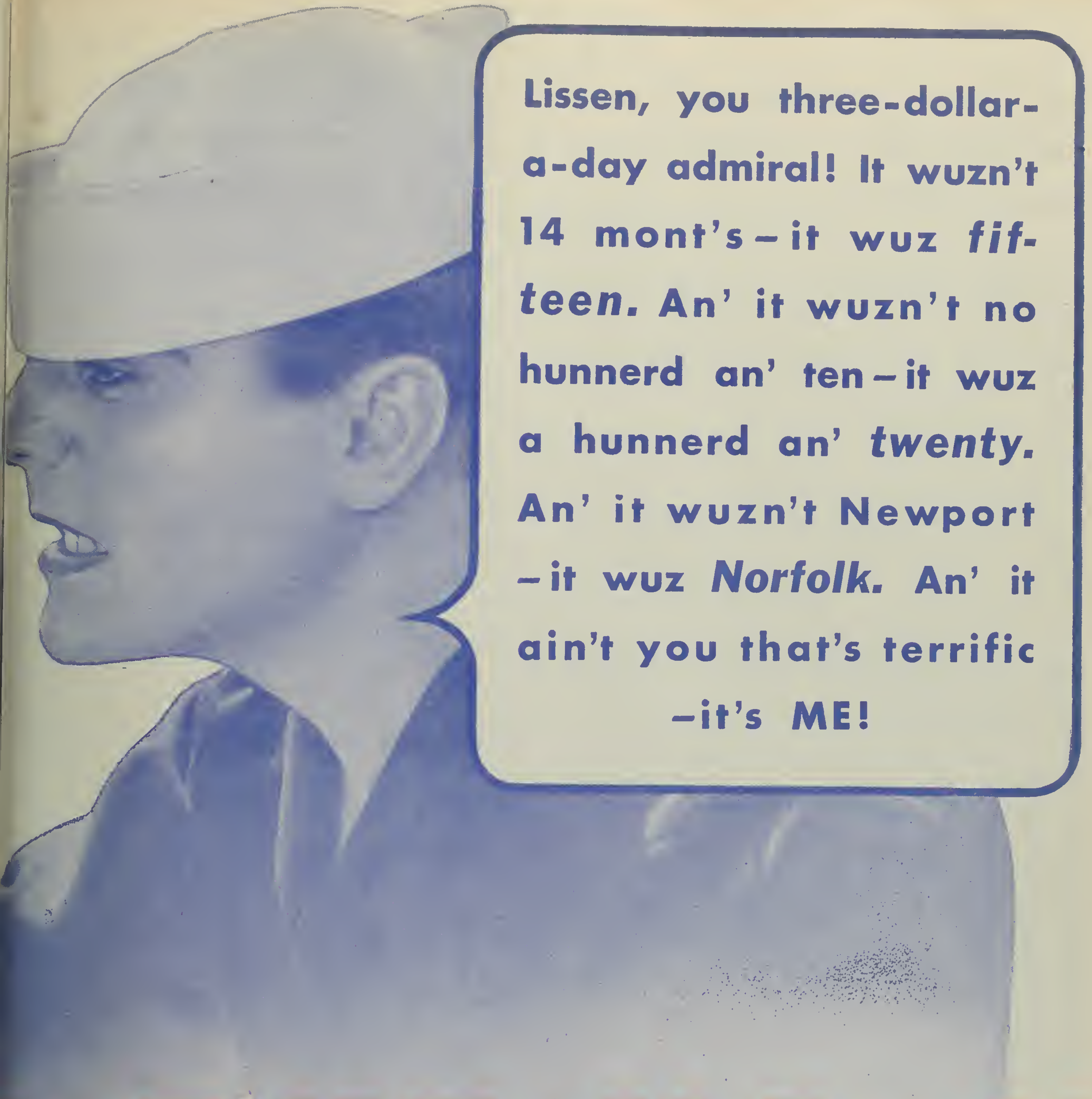
Produced by Winfield Sheehan
Directed by John Ford
Story and screen play by Reginald Berkeley

FOX

Get a load o' this, monkey! I just heard I busted all records for th' last 14 months at th' world's premeer of my new show in Newport—with th' temprachoor a hunnerd an' ten in th' shade!...Boy!—am I terrific!

"HERE COM

WITH THE UNITED STATES FLEET AND
STUART • FRANK McHUGH • DIRECTE


Lissen, you three-dollar-a-day admiral! It wuzn't 14 mont's – it wuz *fifteen.* An' it wuzn't no hunnerd an' ten – it wuz a hunnerd an' *twenty.* An' it wuzn't Newport – it wuz *Norfolk.* An' it ain't you that's terrific – it's ME!

S THE NAVY”

MES CAGNEY • PAT O'BRIEN • GLORIA

Y LLOYD BACON FOR WARNER BROS.

Vitagraph, Inc., Distributors

No Check on "Legitimate" Fun—Hayes

(*Continued from page 1*)

lished, informing us of the very notable progress of the campaign launched by the Committee 'against the destructive moral influences of evil motion pictures.'

"Last November at the meeting in Washington of the Bishops of the United States, His Excellency the Most Reverend Bishop of Los Angeles presented an exhaustive report on the vastness of the motion picture industry, its almost universal appeal to the people, its dangerous power, and its abuse of opportunity by production of lustful and depraved pictures. A Committee of the Hierarchy made up of Their Excellencies the Archbishop of Cincinnati, the Bishop of Los Angeles, the Bishop of Pittsburgh and the Bishop of Fort Wayne has been very active, even conferring with representatives of the largest producers in the country.

Would Help Country

"It is most heartening to all who would have our beloved land stand high on the better, nobler and cleaner plane of life, to observe the widespread awakening throughout the country to the evil character and shocking debasement of many motion pictures.

"The American public—Protestant, Jew, and Catholic—is rising, thank God, to determined action to put a stop to productions that, for the sake of monetary greed, debauch the sense of America's moral decency which until recently, neither stage nor screen would dare offend as openly and as flagrantly as at present.

"The moral forces of the Nation, hoping that the motion picture producers would see the practical wisdom of cleaning their own house, have been too patient, tolerant, and long-suffering with offensive productions. Some years ago I sent to the National Motion Picture Congress a plea for censorship from within the industry. Many others, I am sure, interested in the motion picture as an invaluable educational, cultural, entertaining agency for good, have been protesting in vain against the ever growing degradation and perversion of the screen.

Holds No Drab View

"The Catholic Church takes no drab view of lawful pleasure. She is a mother of joy and limits her penitential season to some few weeks of the year, even interrupting it with an outburst of gladness. She rejoices in seeing her children happy, smiling in the enjoyment of normal, reasonable and wholesome amusement. Gladly would the Church bless the screen, were it to be morally clean in its presentation of the realities of life and its creation of mirth-provoking situations.

"Reform, restriction and suppression that would deprive the people of legitimate pleasure are not in contemplation. What is to be condemned as reprehensible—and justly so—is the glorification of crime, lust, and, in general, the serious violation of the law of God and man in things sacred to home and society.

"Public safety demands that we establish quarantine against epidemic, enforce measures against unsanitary conditions, and guard our water supply lest contagion, infection and contamination harm the physical well-being of our people. To be consistent, we should be equally concerned about the general moral tone of the Nation. A serious lowering of the moral standards of any community menaces the common good and weakens, if it does not destroy, the sanctions that guarantee peace and prosperity.

"Civilization would not long endure were we a race of physical giants but dwarfed morally. The true ideal of any nation must be based on the properly balanced physical, intellectual, moral and spiritual life of the people. History records the inevitable ruin of nation after nation when moral laws are violated and spiritual ideals vanish. Evil motion pictures in their baneful influence undermine the moral foundation of the State.

Clean Films Public's Right

"Another serious consideration suggests the question why certain producers of motion pictures are permitted to counteract, to put it mildly, the influence of public and private schools which spend millions and millions annually for the education and the formation of character of the young. Dr. Campbell, our Superintendent of Schools, impressively writes:

" 'There is little doubt in my mind that much of the good that the schools are doing, especially in the field of character training and the development of right social attitudes, is being undermined and even thwarted by substandard motion pictures.'

"The motion picture is more potent in impressionable and compelling effect

(*Continued on page 9*)

Wants Hays, Pettijohn and Milliken to Resign Posts

The resignation of Will H. Hays, carrying with him Charles C. Pettijohn and Carl E. Milliken, is demanded by independent theatre owners, Allied States is informing its members in a lengthy bulletin issued in Washington yesterday. The bulletin asserts one leader of the Catholic movement against objectionable films declared "very bluntly that vigilance will not be relaxed or a normal attitude toward the movies resumed so long as Will Hays and his associates retain their authority over the industry." The "leader" is not designated by name.

The bulletin further says Allied has "always cooperated with sincere groups looking to the betterment of screen conditions." This, the assertion is made, has "brought down upon the heads of Allied leaders the wrath of the Haysites. Reviving its ancient allegation that the trade press is producer dominated, the bulletin immediately thereafter alleges the wrath allegedly heaped on Allied leaders from Hays members has developed from trade papers as well. Specific instances are nowhere cited.

Asserting many exhibitors have "expressed surprise and regret" that the President has been "indifferent to the complaints of the exhibitors and the reports of the Darrow board," the communication draws the conclusion that the truth has never reached the President's ears. From the text on this point:

"Two of the President's secretaries, McIntyre and Early, are former newsreel men, the former being connected with Pathe, the latter with Paramount. Frank Walker, one of his closest advisers, is a former Comerford (Paramount) man. J. P. Kennedy, new head of the Securities Commission, is an old Pathe man. Rosenblatt, with Nathan Burkan, was counsel for various producers. Miss Robinson, executive assistant under General Johnson, is a former employee of RKO. H. M. Warner is a friend of the President and one of the largest individual contributors to his campaign fund.

"In view of this, what sort of information do you suppose the President gets regarding conditions in the motion picture industry?

"Add to all this the fact that the President's political advisers undoubtedly believe that the Big Eight must be catered to in order to get preferred treatment in the newsreels and you will not miss the answer to the foregoing question."

Protestants in Phila. Told to Back Legion

PHILADELPHIA, July 12.—The Philadelphia Federation of Churches today issued an open letter to 1,000,000 Protestants urging support of the Legion of Decency and congratulating the Catholic bishops on their stand on objectionable films. The letter, prepared by the federation's department of civic interests, cites the findings of the Payne Fund on the subject.

"Motion picture magnates by reason of their indifference to decency and misinterpretation of public sensibility," says the communication, "have sown the wind. The country now is reaping the whirlwind of organized crime, unrest and demoralization, disregard of law and authority, moral collapse in the home and society and an oncoming generation fired by passions and low ideals which will lead it to certain degradation and misery."

Connecticut to Open Film Drive on Sunday

HARTFORD, July 12.—The Legion of Decency will extend its activities to Connecticut Sunday, when all Catholic churches in the state will ask their parishioners to stay away from unclean films. A pastoral letter, prepared by Bishop Maurice F. McAuliffe of the Hartford diocese, calling on Catholics to protest against objectionable films, will be read at all masses.

Southeastern Catholics Joining Legion's Drive

ATLANTA, July 12.—Southeastern Catholics have been urged to join the Legion of Decency campaign by the Rev. Michael J. Keyes, bishop of Savannah.

Producers Clear Decks For New Deal

(*Continued from page 1*)

exceptional spirit of cooperation to the extent of a possible loss of hundreds of thousands of dollars in revenue.

Reluctant to talk for publication on the plea that the question is one concerning exhibition and distribution and, therefore, does not properly fall into the province of production, some executives, nevertheless, foresee disputes developing with some exhibitors who might attempt to turn the good intention of the distributors into an evasion of contracts, using the moral ground issue as their excuse.

Will Hays, in a meeting of members of the Ass'n of M. P. Producers, western affiliate of the M. P. P. D. A., has discussed at length the program adopted on June 13 at the meeting of the directors of the eastern association. Code resolutions analogous to those adopted in the east were passed by the western association here.

Quality of Product Involved

"It is recognized that the solution of the problem of the right kind of screen entertainment rests solely with the quality of the product and these strengthened arrangements are directed to the discharging of that responsibility more effectively," he declared.

The new arrangement will cover all product produced and distributed by the following companies: Columbia, C. B. De Mille Prod., Walt Disney Prod., Educational, First National, Fox, Samuel Goldwyn Prod., Inspiration Pictures, Jesse L. Lasky Prod., M-G-M, Paramount, Pathe, Principal, Reliance, RKO, B. P. Schulberg Prod., 20th Century, United Artists, Universal, Vitagraph, Warners and any others who want to avail themselves of the new system which calls for certificates of approval.

The list includes production companies not earlier mentioned in New York. All of them, however, release through major distributors who are members of the M. P. P. D. A.

It is interesting to note that the line up includes Samuel Goldwyn Prod. and 20th Century, both companies no longer members of the Ass'n of M. P. Producers.

Say 45% of Profitable Territory Has Censors

Producers face censorship in 45 per cent of their profit territory, declared the Associated Press yesterday in a Hollywood dispatch which added censorship prevails in seven states and 133 cities.

Won't Publish Deletions

RICHMOND, July 12.—Protests by producers and exchanges over publication of bulletins listing deletions made by the state board of censors have resulted in a decision by the board to suspend release of the bulletins.

Warners Sign Vallee

HOLLYWOOD, July 12.—Rudy Vallee has been signed by Warners for a musical.

No Check on "Legitimate" Fun—Hayes

(Continued from page 8)

on people of all classes than all our other refining and educational agencies. The American peopl,e therefore, have a right to look for productions that are clean, safe, elevating and wholesome in their theme and method of entertainment.

"Were the mothers of America aroused to the necessity of protecting their children from the moral defilement that lurks in every depraved motion picture, they would shun the place that presents it as they would avoid with horror a pest-house.

"Please read this letter at all the Masses on Sunday, July 15, and prepare your people for the organization in early October of the Legion of Decency, which already has enrolled hundreds of thousands throughout the country."

Important developments are expected to come out of a meeting to be held this morning at the headquarters of the Federal Council of the Churches of Christ in America. Leaders of the Protestant denominations will discuss at the gathering further steps in the council's drive on unclean films.

Coast PTA Links Self With Purging Screen

Los Angeles, July 12.—The California congress of Parent-Teacher associations, representing 185,000 members, has allied itself with the movement to purge the screen and has recommended the division of pictures into three classifications—adult, family and children—for the guidance of parents. The recommendation also has been made that family programs be put on Friday and Saturday nights.

Exhibitors in residential districts have been asked to eliminate dual bills. Courses in film appreciation in public schools are advocated. Off-color sequences have been denounced and an appeal made for the elimination of scenes expounding the technique of crime. Also demanded are fewer drinking scenes and more stories about decent people.

Sidetrack Offensive; Move Held Unnecessary

Kansas City, July 12.—Various measures to deal with the religious campaign against indecent films were discussed at a meeting of the I. T. O. here, but all proposals were tabled for the present because the exhibitors failed to agree that a counter-offensive was necessary at this time.

One proposal was for a local committee of exhibitors to call on the Catholic clergy with a view of deflecting the campaign from the independent theatres, on the ground they are in no way responsible. That action was held in abeyance because it was held the situation is not yet sufficiently alarming from the box office standpoint here and by the time the local crusade reaches its full force the theatres will be showing new season releases which are expected to be "toned down."

However, the exhibitors were in agreement that there is an excess of salaciousness in films, and has been for some time, and that a "clean-up" was necessary. The independents said they hoped the producers would sincerely institute reform.

Comics Re-Signed

Hollywood, July 12.—With "Kentucky Colonels" yet to go under their old contract, Bert Wheeler and Bob Woolsey have signed a new Radio deal calling for three pictures in the next 18 months.

Virginia Houses Not Hit by the Movement

Richmond, Va., July 12.—While the Catholic movement has spread to Virginia and there are Protestant joiners to the ranks, theatres have been little affected by the situation, it was reported today.

In averring the "Hollywood golden goose is up for killing," the *Catholic Virginian* commends the Legion of Decency as the only effective means of stopping without further delay the "disgusting and degenerate displays that have made of a noble invention a diabolical contraption and have tainted the whole world with a perverted and untrue picture of American life, manners and morals." The Norfolk Presbytery, at a meeting at Virginia Beach, passed resolutions pledging its ministers to preach on the subject of films and to present pledge cards of the Legion to Presbyterians for their signatures.

Little attention had been paid in Virginia to the drive until this week, although there was some speculation as to whether the boycott would be attempted in this state. Edwin S. Reid, who succeeded Richard C. L. Moncure as director of the State Division of M. P. Censorship, said today only a few of the films listed as immoral and indecent had come to Virginia and that the necessary eliminations were made in them. He did not regard all the listed pictures as unfit to be shown in this state.

Legion Makes Debut In Milwaukee Sector

Milwaukee, July 12.—The first unit here of the Legion of Decency has been organized at St. Boniface's Church. All societies of the parish have been asked to sign pledge cards and, according to the Rev. Lawrence Kasper, assistant pastor, the response has been encouraging.

He said it was probable, when Archbishop Samuel A. Stritch returns from his visit to Rome, that the entire archdiocese would be asked to enlist in the Legion.

Wilmington Organizes Clean Film Committee

Wilmington, July 12.—The first major step in the local agitation against salacious films was taken today when an advisory and vigilance committee was appointed at a meeting of church and synagogue representatives.

Mrs. E. N. Barsham, former chairman of the film committee of the State Federation of Women's Clubs and organizer of the Better Films Committee, was named chairman. Other members are: Rev. J. Francis Tucker, St. Anthony's Catholic Church; Rev. Ralph L. Minker, president of the Wilmington Council of Churches, and Rabbi Jacob Kraft.

Although the committee will not have jurisdiction outside of this city, it is expected its moves will be followed in other parts of the state. Church moves made nationally were endorsed today. Exhibitors will be asked to cooperate.

New Buffalo Group Opposes a Boycott

Buffalo, July 12.—A Better Films Council has been formed with Mrs. James F. Rice, president of the Buffalo City Federation of Women's Clubs, as its head. Through this agency, the federation's reviewing committee will be enlarged and frequent reports of films approved and disapproved will be issued. Co-operation with local exhibitors for better pictures will be attempted. The group is opposed to the boycott as it "would mean possible bankruptcy to a large group of Buffalo business men."

Des Moines Register Tries New Roto Idea

Des Moines, July 12.—"Hollywood Uncensored" is a new rotogravure feature in the *Sunday Register* here showing little known photographs of film celebrities and timed simultaneously with the campaign by the churches.

Local managers say they have felt little results of the present movement sweeping the country, although most of the current releases are on the "offensive" or "immoral list."

Methodists Enlist in Growing Church Move

Chicago, July 12.—The World Service Commission of the Methodist Episcopal Church has officially joined the church campaign for better elimination of objectionable pictures and will circulate pledge cards similar to those used in the Catholic Legion of Decency Drive.

New Coast Contracts

Hollywood, July 12.—Paramount has signed three writers to the contract list. Scriveners are David Hertz and Mackinlay Kantor, who will do an untitled original, and Harry Ruskin, temporarily unassigned.

Florence Fair, New York stage actress, has signed a long term contract with Warners.

Plans Edgar Guest Films

Imperial Distributing, through William M. Pizor, has signed Edgar A. Guest, poet, to supply 13 poems for a series of shorts to be known as "Poetic Gems." Cy Braunstein will supervise production.

Noel Coward Stricken

London, July 12.—Noel Coward was operated on today for appendicitis. He was taken ill last night while playing in "Conversation Piece" and was rushed to the hospital from the theatre.

French Showing Tonight

A French showing will be held by John S. Tapernoux aboard the *Champlain* tonight. "Lac aux Dames" and "Toi Que J'Adore" will be shown.

"Operator 13" Gets $18,400 On the Coast

Los Angeles, July 12.—Cash customers went for "Operator 13" in a big way at Loew's State and sent the gross skyrocketing $4,400 over normal for a total of $18,400.

Business showed signs of improvement in other spots. "The Old Fashioned Way" hit $19,476 at the Paramount.

Total first run business was $73,676. Average is $71,850.

Estimated takings for the week ending July 11:

"THE VIRGIN MAN" (French)
FILMARTE—(900), 40c-50c, 2nd week, 7 days. **Gross:** $1,800. (Average, $2,650)

"OPERATOR 13" (M-G-M)
LOEW'S STATE—(2,413), 30c-55c, 7 days. **Gross:** $18,400. (Average, $14,000)

"THE OLD FASHIONED WAY" (Para.)
PARAMOUNT—(3,595), 30c-55c, 7 days. Stage: F. & M. "Vacation Days." **Gross:** $19,476. (Average, $18,000)

"THE LIFE OF VERGIE WINTERS" (Radio)
RKO—(2,700), 25c-40c, 7 days. **Gross:** $8,500. (Average, $8,000)

"THE KEY" (Warners)
WARNER BROS. (HOLLYWOOD)—(3,000), 25c-55c, 7 days. **Gross:** $12,000. (Average, $14,000)

"THE KEY" (Warners)
WARNER BROS. (DOWNTOWN)—(3,400), 25c-55c, 7 days. **Gross:** $10,000. (Average, $12,000)

"LET'S TRY AGAIN" (Radio)
"LET'S TALK IT OVER" (Univ.)
PANTAGES—(3,000), 25c-40c, 7 days. **Gross:** $3,500. (Average, $3,200)

"Take Bow" Proves Sensation in K. C.

Kansas City, July 12.—"Baby Take a Bow" proved a real sensation, zooming the Uptown's take to $6,900, almost doubling average, and was held for a second week. Hailed by the *Star* as a clean picture, it drew many Catholics and had a heavy family patronage. At the 25-cent gate and with many children's admissions included, the gross is claimed by the management to represent an attendance record.

The Tower nabbed $6,600, up by $1,600, on "The Hell Cat" and a stage show. The Newman's take on "He Was Her Man" and "Private Scandal" hit an average $6,000. Elsewhere business was off.

Total first run business was $33,000. Average is $29,500.

Estimated takings:

Week Ending July 3:

"THE CIRCUS CLOWN" (F. N.)
"MOST PRECIOUS THING IN LIFE" (Col.)
MAINSTREET—(3,100), 25c, 5 days, plus Saturday late show. **Gross:** $4,400. (Average, 5 days, $5,000)

Week Ending July 5:

"MURDER IN THE PRIVATE CAR" (M-G-M)
MIDLAND—(4,000), 25c, 7 days, plus Saturday midnight show. **Gross:** $9,100. (Average, $10,000)

"HE WAS HER MAN" (Warners)
"PRIVATE SCANDAL" (Para.)
NEWMAN—(1,800), 25c, 7 days, plus Saturday late show. **Gross:** $6,000. (Average, $6,000)

"THE HELL CAT" (Col.)
TOWER—(2,200), 25c, 7 days, plus Saturday midnight show. Stage: "Eskimo Frolics" and vaudeville featuring: Four Franks, Jimmie Dunn, Pickard and His Seal, Campus Bros. **Gross:** $6,600. (Average, $5,000)

Week Ending July 6:

"BABY TAKE A BOW" (Fox)
UPTOWN—(2,000), 25c, 7 days. **Gross:** $6,900. (Average, $3,500)

ROMANC
in the
RAIN

GET READY FOR A HIT!

•

The kind of a picture that spells big business for every type theatre!

•

A ROMANTIC COMEDY-DRAMA WITH MUSIC!

•

Youth! Pep! Rhythm! Laughs! Drama! Speed!

and

EXPLOITATION!

with

ROGER PRYOR · HEATHER ANGEL

ESTHER RALSTON—VICTOR MOORE—RUTH DONNELLY—PAUL KAYE. Story by Sig Herzig and Jay Gorney. Songs by Jay Gorney and Don Hartman. Directed by Stuart Walker. A Stanley Bergerman Production, presented by Carl Laemmle.

A UNIVERSAL PICTURE

Fixes July 20 Deadline for Fox Met. Deal

(*Continued from page* 1)

bondholders have with Skouras Theatres Corp. and Randforce. J. Robert Rubin stated the Loew-Warner bid does not include the contracts, although it is possible Loew might want the operators to continue under different terms.

Charles Littlefield, representing Irving Trust in the receivership, asked for an extension of the receivership, which expires Aug. 18. Judge Mack granted two months.

During most of the hearing the judge seemed to lean toward throwing out the Loew-Warner bid in favor of the reorganization plan and asked for other bids. With none forthcoming, Rubin asked for 10 days grace in which he would try "to eliminate the difficulties."

Rubin pointed out the new bid was not for the bonds, but for leases and said the conditions "were not severe." Judge Mack pointed out that if the bid is accepted suits may follow over the leases, which would not happen if the reorganization plan were effectuated.

The judge declared he desired a bid for the bonds, a bid he has been hopeful for until now and which has not been made. He added the bondholders' committee and lawyers for the bidders are where they originally started. He then declared that if no bid were made for the bonds he would submit to the bondholders' reorganization plan.

Saul Rogers, who stated he worked a year in getting the original Fox Met. circuit together, asked for more time on the ground that checking up on leases, contracts and other details required a lot of work.

Try to Reach Accord

A meeting was held earlier in the day in Judge Mack's chambers between S. A. Telsey, counsel for Randforce; Rubin and Morton G. Bogue, representing the bondholders' committee, at which time an unsuccessful effort was made to eliminate the operators from contracts with the committee.

Bogue later asked for a short adjournment, stating "we've struggled so long on the matter and, feeling the responsibility of the committee, we think we should make one more attempt."

Rubin said that he expected the plan to be amended anyway and all questionable matters may be obviated.

Abe Tulin, counsel for a group of noteholders, objected to the adjournment as did Telsey, the latter declaring extensions are hurting operation of the houses.

Louis Weiner, counsel for Central New York Theatres Corp., said he had claims totaling $243,000 against the estate, of which $150,000 is against Fox Met. He said he had been working on a settlement for three months conditioned on the reorganization plans. If the reorganization plan is not accepted, he said he will file suit.

Asked whether the latest joint bid of $4,500,000 by Loew-Warner for the Fox Met. circuit was likely to be increased at the adjourned hearing, July 20, Rubin yesterday stated it would not.

He said it was not a matter of money now but certain clauses in the bid which are holding it up.

Jittery "Blumey"

A. C. Blumenthal couldn't find a seat for himself yesterday at the Fox Met. court hearing. When it looked as if the judge was going to accept the reorganization plan in lieu of the Loew-Warner bid, Blumenthal made a bee line for Saul Rogers and later another dash for J. Robert Rubin.

Freuler Changes Name

Freuler Film Associates, Inc., through Harry G. Kosch, attorney, has filed a certificate in the office of the Secretary of the State changing its corporate name to Associated Monarch Corp.

John R. Freuler, head of the concern, is said to be working on a new plan of distribution. The firm was renamed to fit in with the idea.

Takes Over in August

Buffalo, July 12.—Operation of the Great Lakes, acquired by A. Charles Hayman of the Lafayette on a 10-year lease, will become effective in August following redecoration. Policy is not determined.

The theatre, one of the city's big ones, has been operated successively by Fox, Comerford, Loew's and Shea.

Friedlander Dead

An attack of indigestion on the I. T. O. A. boat ride Wednesday proved fatal to Al Friedlander, a partner in the Nelson & Renner circuit of Brooklyn. The body was taken off the boat at Hart's Island and later shipped to New York.

Funeral services will be held today.

The exhibitor mentioned is not the man of the same name connected with First Division.

Nye Dobbs Dead at 53

Portland, July 12.—Nye Dobbs, 53, recently treasurer for the Multnomah Theatres here, is dead at his home in this city. He was formerly booker for First National and auditor for the old Mutual Film Co.

Mrs. M. E. Ryan Dead

Hollywood, July 12.—Mrs. M. E. Ryan, 70, author of more than 60 books, many of which found their way into films in the silent days, is dead here after a long illness.

Indies in Milwaukee Form Organization

Milwaukee, July 12.—A temporary independent exhibitors' association was organized here today at a meeting of representatives of 56 Milwaukee County theatres. E. F. Maertz was named chairman; Harry Perlewitz, treasurer, and Etta Weisner, secretary.

Sentiment was opposed to the local clearance schedule adopted yesterday. It is likely a protest will be made to Campi. A wire was sent to Warner officials resenting alleged discrimination in the pending deal with the Saxe Amusement Co. giving the latter Warner-First National product here, whereby Warners will show it at 10 cents less than the Saxe admission. The group says this will deprive independents of Warner product.

Another meeting will be held next week.

Temple Film May Go Fourth Week at Roxy

"Baby, Take a Bow" will be held for a fourth week at the Roxy from present indications. For the second week ending last night, the gross was $30,000. The first week's take was $29,000.

If the picture is held again, it will parallel the booking on "Common Clay," which played the house and take of which built every day the picture was held.

Bookings on "Baby" for RKO and Skouras are being pushed back as a result.

Warners' St. Louis Appeal Loses Point

St. Louis, July 12.—Counsel for Warners yesterday was denied a motion to appeal decision of Judge Davis, who recently approved the sale of the Ambassador, Missouri and Grand Central to the bondholders' protective committee for $2,000,000.

No date has been set when Fanchon and Marco take over operation, the date being contingent on dissolution of the present receivership.

For Distribution Here

London, July 12.—"The Church Mouse" with Laura La Plante will be released in the States by Warners, who made it here under the quota law. It also will get a London run at the New Gallery.

"Bondage" to $75,000

"Of Human Bondage," which closed its second week at the Music Hall Wednesday night, did a reported gross of $75,000 net.

Gov't Still Eyes Fox Met

Despite absence of John H. Amen, special assistant to Attorney General Homer S. Cummings, at the court hearing before Federal Judge Julian W. Mack yesterday when the new Loew-Warner bid of $4,500,000 was made for the Fox Met circuit, the government does not intend to drop its investigation for possible anti-trust violation.

Morton G. Bogue, attorney for the bondholders' committee, told the court he had received a letter from Amen stating that his inaction does not indicate the government is out of the picture, but that it intends to continue its investigation.

The NRA also is watching the deal for possible code violations.

IATSE Takes Over 306 to End Battles

(*Continued from page* 1)

the move after attending a session late Wednesday night by a group of Local 306 dissentors. Browne told the union men that the meeting was illegal and ordered the group to disperse. At the same time, he told the men of the international's plan.

Browne is reported to have asked Harland Holmden, president of the Cleveland M. P. Operators, to take active charge of the New York local for the I. A. T. S. E.

Supreme Court Justice James Dunne yesterday ordered District Attorney Geoghan to return forthwith the books and all records of Local 306 seized in a recent raid, declaring the seizure unconstitutional and an invasion of the rights of the union.

Wichita Clearance Due for Protests

Kansas City, July 12.—In addition to appeals filed with Campi on new clearance schedules for Kansas City and St. Joseph, Mo., it appears likely a protest will be lodged against the Wichita, Kan., schedule. W. P. Huston of the Crawford and Kansas, Wichita, has inquired at the local code office about appeal procedure.

The Dubinsky circuit is appealing the St. Joseph plan on the ground of inadequate protection for first runs over subsequents in certain price classifications.

It is reported the remaining schedule adopted by the local clearance and zoning board, that for Atchison, Kan., also will be appealed. Roy Dunnuck, the town's sole independent, has signified his intention of doing so.

July 30 is the deadline for filing appeals with Campi on schedules adopted by the local board.

Present Zoning for Wisconsin Proposed

Milwaukee, July 12.—The same zoning now in vogue for the territory outside Milwaukee County is proposed by the clearance board for 1934-35.

Exhibitors have been informed they must file record of their house policy by Aug. 15 under a revised schedule adopted Wednesday. They have also been invited to file protests against the contemplated plan for the state by July 23. The board will meet the following day to consider them.

Mrs. Oser Continues Fight on Union Funds

Chicago, July 12.—Mrs. Gladys Oser, widow of Fred Oser, "rebel" operator who was shot to death, has been granted a change of venue on an order from the Appellate Court taking the case out of the hands of Judge William Lindsay. Mrs. Oser is carrying on the fight seeking an accounting of union funds. Her attorney charges prejudice on the part of all superior court judges save Harry A. Lewis.

Ralph O'Hara, who was tried for the crime, was acquitted by a jury on a self-defense plea.

Campi Names More To Coast Committees

(*Continued from page 1*)

Administrator Sol A. Rosenblatt. They are:

Actors: E. J. Mannix (M-G-M), J. J. Gain (Fox), Frank O'Heron (RKO), Nat Levine (Mascot), Sam Briskin (Columbia). Respective alternates are: Fred Pelton (M-G-M), William Koenig (Warners), Al Kaufman (Paramount), M. H. Hoffman (Liberty), Abraham Lehr (Samuel Goldwyn).

Writers: Irving Thalberg (M-G-M), Darryl Zanuck (20th Century), I. E. Chadwick, Henry Henigson (Universal), Sol Wurtzel (Fox). Respective alternates are: Hal Wallis (Warners), Samuel Goldwyn, Larry Darmour (Majestic), Harry Cohn (Columbia), Merrill Hurlburt (Paramount).

Victor H. Clark was named to succeed Al Berries as temporary alternate for Pat Casey on the code labor committee.

The next session will be held July 26 with Charles L. O'Reilly as chairman.

Attending yesterday's session were: Rosenblatt, Mrs. Clare Boothe Brokaw, Austin Keough, O'Reilly, Edward Golden, R. H. Cochrane, Leslie Thompson, Ed Kuykendall, J. Robert Rubin, W. C. Michel, Harold S. Bareford and Nathan Yamins. Bareford was chairman.

Distributors Win Coast Zoning Suit

(*Continued from page 1*)

opinion of the court dismisses Fae Robison's complaint and puts an end to the action.

A lower court jury gave Fae Robison a verdict of $35,336, but the court of appeals reversed the verdict and ruled that the trial judge committed error in not directing the jury to find a verdict for the defendants at the end of the case.

The plaintiff sued the distributors and the Los Angeles board because when the Seville was built just across the city line from Los Angeles, it was in a separate zone under the Los Angeles clearance and zoning plan. In 1925 it was put in the same zone with the Mesa erected that year on the Los Angeles side of the city line.

The distributors contended that the Los Angeles clearance plan was an advisory recommendation and not legally binding and that Fae Robison, who waited until Dec. 31, 1930, after the Supreme Court's decision in the arbitration case, could not maintain the suit.

Chicago Awaiting Reply on Clearance

CHICAGO, July 12.—Petition of B. & K. for modification of the clearance and zoning schedule, asking increased protection, rested with the clearance and zoning board tonight following a meeting attended by 150 exhibitors. Ben Bartelstein headed the opposition. A brief opposing the petition was read in behalf of Allied.

The B. & K. protest places in the board's lap the problem of 10 cent houses, the question of changing matinee time from 6:30 P. M. to 5 P. M. and elimination of "early bird" prices at Sunday matinees.

Speaking for the exchanges, Henry Herbel, Universal manager, said an increased matinee scale must follow a change such as proposed by B. & K. Ed Brunell, speaking for the I.T.O.A., attacked the plan because he said it allows no spot for 10-centers.

Judge Eugene Holland sat in place of Hugo Friend as impartial man.

Treanor Declines Post

LOS ANGELES, July 12.—John Treanor, president of the Riverside Cement Co., who with Tom Nay and Carl Bush had been appointed business men to serve as alternates on the grievance and zoning boards, declines the post without furnishing a reason.

Pittsburgh Hits at Giveaways and Cuts

PITTSBURGH, July 12. — Giveaways and cut rates have been hit in three recent decisions of the grievance board.

Merchants' tickets at five and 10 cents issued by J. L. Bush, operator of the Strand, Grafton, W. Va., were ordered stopped following a hearing on a complaint brought by G. E. Brinkman, Opera House, Grafton.

Two complaints against cut rates brought by W. Finkel, operator of the Arcade and Colonial, Pittsburgh, one against the Strand, and the other against the Liberty resulted in cease and desist orders.

Looking 'Em Over

"Whom the Gods Destroy"

(*Columbia*)

In a Jannings-like role and his most important to date, Walter Connolly acquits himself with credit.

"Whom the Gods Destroy" tells the story of a leading theatrical producer, who, in a moment of panic when his transatlantic boat goes down, achieves rescue through the use of a woman's evening cloak and thereafter is never successful in ridding himself of the coward's brand.

Eventually the courage to leave the Newfoundland village patriarch who befriends him gains the upper hand. Back in New York, Connolly realizes posthumous newspaper stories crediting him with heroism displayed as the liner went down must inevitably lead to his uncovering and his wife's and son's disgrace. Blocked by circumstance's twist, he thereafter walks in the back streets of his son's life, helps him find himself as a playwright and as a stage producer, but never revealing his identity.

As the picture closes, the wife, played by Doris Kenyon, is brought face to face with her husband, through the son, now grown but still unaware of the truth. Husband and wife agree that the boy must never be told the facts, as they find a latter-day happiness predicated on occasional visits in the future.

Connolly is the standout in point of performance. Others are adequate, but they never even approach the lead's histrionic rendition.

Off to a slow start for several reels, "Whom the Gods Destroy" later gains momentum and finishes on a touching, if sentimental note. Its shipwreck scenes, while overlong, are among the best in some time.

The picture is somewhat handicapped by dissolves and trick effects which come along frequently enough to make one wish there were less of them. Generally, it is good, popular entertainment aimed at the tear ducts and true to its objective. Walter Lang directed. Running time, 71 minutes.

KANN

"Fifteen Wives"

(*Invincible-State Rights*)

The science of physics has been consulted in "Fifteen Wives" to supply a novel means of committing murder. For that reason chiefly this Invincible production makes satisfactory entertainment for smaller houses. The story has many humorous touches besides.

A scoundrel married to 15 women, whom he uses for the purposes of blackmail when his fancy suits him, is found dead in a hotel room. Any one of a number of persons might have done the job. First to come under suspicion are three of his wives residing in the city where he has met his end. Then others are dragged into the picture. It turns out that the murderer (John Wray) is the husband of a woman whom the bigamist stole.

Darned clever is the method of murder. The bluebeard receives a hollow glass globe, similar to the sort used by crystal-gazers, as a gift from an unknown person. Sealed inside is a lethal gas. Vibrations of a certain timbre set up by the human voice are sufficient to shatter the globe and cause the gas to escape. In this case the voice of Ralf Harolde, a performer billed as "The Electric Voice," coming over the radio, produces the vibrations.

The cast includes Conway Tearle, who plays the inspector of police; Noel Francis, Raymond Hatton, Natalie Moorhead, Oscar Apfel, Margaret Dumont, Robert Frazer, Harry Bradley. Frank Strayer directed. Running time, 67 minutes.

K. C. Test of 'Bank Nights' Up Next Week

(*Continued from page 1*)

for "Bank Nights," declares it is agreeable to a test to ascertain whether or not the plan violates the code.

The Better Business Bureau is investigating to determine if lotteries are involved.

Mostly from Mrs. Baier

KANSAS CITY, July 12.—The old saw, "find the woman," has its application here, in that a majority of grievances originating from Kansas City has Mrs. A. Baier as the complainant. Mrs. Baier operates the Lindbergh, is secretary of the I. T. O. and has been given power of attorney by that body as complaint filer, so keeps an eye peeled for violations. With the two exceptions, the grievance board has decided cases filed by Mrs. Baier in her favor. Of eight actions now awaiting disposition by the board, five were brought by vigilant Mrs. Baier.

Five-Cent Shows in Kansas City Socked

KANSAS CITY, July 12.—The grievance board today outlawed children's matinees at five cents when it ordered Fox Midwest to discontinue "Br'er Fox Clubs" on Saturdays. The board issued an identical order against the "Big Brother Club" at the Gillham.

Bill Perry was ordered to cease merchants' free shows at Coffeyville, Kan. A free show complaint by S. H. Yoffie of Appleton City, Mo., against S. A. Meyers of Rockville, Mo., was dismissed when neither party appeared.

The board ordered the National, Ritz and Fox Vista, all Kansas City houses, to desist in spot dualing ahead of schedule.

Denver Board Finds "Bank Nights" Unfair

DENVER, July 12.—The throwing out of cases against the Harry Huffman theatres for lack of evidence and the declaring "Bank Nights" to be "unfair to competing exhibitors" were highlights of the latest meeting of the grievance board.

In the Huffman case, in which eight theatres had filed, charging violation of the code in a weekly auto giveaway, the only evidence offered was one of the tickets. In spite of the fact that it is common knowledge how the giveaways were conducted, none of the theatre men complaining would admit he knew anything about it.

Theatres involved were ordered to stop the practices by July 17.

It is expected most of the managers will appeal.

The Victory withdrew from participation in all cases and complaints against the Paramount on its giving of admissions for coffee carton tops were withdrawn when Huffman announced the practice had been stopped and would not be resumed, at least not for the present.

Randell on Appeals

Henry Randell, Brooklyn branch manager for Paramount, has been named to Campi's appeal committee. He is not a member of any of the local boards.

THE PRESS OF THE NATION IN
ONE GIGANTIC VOICE
SHOUTS ITS PRAISE!

★ ★ ★ ★

N. Y. DAILY NEWS (Four Stars ★★★★)

"Yesterday's premiere audience at the Music Hall broke out in unrestrained applause. Radio Pictures has turned out in 'Of Human Bondage' a picture that is at once absorbing, intense and convincing . . . deserved glory."

N. Y. AMERICAN

"Milling throngs stormed Radio City Music Hall . . . Leslie Howard has made an indelible impression on the minds of men and the hearts of women . . . the film is a poignant portrait, sympathetically treated by Director John Cromwell . . ."

BOSTON GLOBE

"Sensitive sympathetic, fine . . . stands out as the most artistic picture in some months . . . Once seen, 'Of Human Bondage' cannot be forgotten . . ."

N. Y. TIMES

". . . lifelike quality of the story . . . cause the spectators to hang on every word uttered by the interesting group of characters . . . Leslie Howard's portrait of Philip Carey excels any performance he has given before the camera . . . Another enormously effective portrayal is that of Bette Davis . . . outburst of applause when the

N. Y. WORLD-TELEGRAM

"A dignified, sensitive, eminently satisfying screen treatment has been accorded 'Of Human Bondage.' W. Somerset Maugham's magnificent story . . . a distinguished contribution to the cinema . . . it has, as precious few films can claim to have, a true beauty . . ."

MEMPHIS PRESS SCIMITAR

"I do not know how to tell you about 'Of Human Bondage' . . . extravagant praise would be an offense to its delicacy, and anything less would be inadequate. Nothing so sensitive and so personally real has ever been put on the screen."

DETROIT NEWS

"RKO-Radio has filmed the story with a restraint and integrity rarely duplicated . . .. the results . . . are astonishingly good. Well off the beaten path . . . marked by two superb performances . . . here is your dish . . . audience gives thorough approval."

DETROIT EVENING TIMES

"Mr. Howard gives his most magnificent portrayal . . . Miss Davis . . . gives a remarkable performance . . . don't miss 'Of Human Bondage.' It's one of the really

BOSTON EVENING TRANSCRIPT

". . . The story has been imaginatively transferred to the screen . . . Not a conventional or stereotyped narrative . . . it stirs the interest of the beholder."

BOSTON EVENING AMERICAN

"'Of Human Bondage' . . . ranks in the topflight of the year's motion pictures . . . flecked with traces of genius . . . 'Of Human Bondage' has not a single false note . . . It is one of the first pictures of this or any other year."

BOSTON POST

"SEASON'S BEST FILM . . . one of the finest films of the new season, or any season . . . definitely one of the films which should be seen by the legion of discriminating picturegoers."

SYRACUSE HERALD

"Hollywood has achieved something of an artistic triumph . . ."

ROCHESTER DEMOCRAT AND CHRONICLE

Lester Cohen as adapter and John Cromwell as director have united to turn this gripping W. Somerset Maugham story into an excellent picture . . . should have Detroit women beating a path to the door . . ."

BOSTON DAILY RECORD

". . . one of the screen masterpieces of the day . . . a glorified adaptation . . . this Radio picture, directed by John Cromwell, has power and charm . . . Miss Davis is incredibly dazzling."

N. Y. EVENING JOURNAL

". . . In transferring 'Of Human Bondage' to the screen, director John Cromwell and adapter Lester Cohen have done well . . . yesterday noon's Music Hall audience broke into enthusiastic applause . . ."

Once in a while it happens that a fine book may become a fine picture. Of Somerset Maugham's modern classic, 'Of Human Bondage' be it gratefully recorded, this is true . . . 'Of Human Bondage' a picture to be seen."

N. Y. HERALD TRIBUNE

". . . As a photoplay, 'Of Human Bondage' is definitely superior to the average . . . well written . . . good photoplay, made something more than that by Mr. Howard's perfect performance."

BOSTON HERALD

". . . W. Somerset Maugham's great novel . . . comes to the screen . . . so worthy that the reviewer . . . can find little to criticize and very much to praise . . . deserves in every way to rank as one of the finest productions of the year."

A brilliantly acted film version of the Maugham novel. Miss Davis will astound you. . . . Touching and infinitely tender . . . Leslie Howard's performance is exquisite . . ."

SYRACUSE POST-STANDARD

". . . a remarkably fine piece of work has been done in bringing to life . . . 'Of Human Bondage' . . . a picture worth seeing . . . the picture is not one you will forget in a hurry . . ."

ROCHESTER EVENING JOURNAL & POST EXPRESS

". . . A sensitive, stirring character portrayal by . . . Leslie Howard, lifts to artistic heights . . . 'Of Human Bondage' . . ."

Just a few words from a few cities as all America unites in acclaiming

LESLIE HOWARD

in W. Somerset Maugham's Great Novel

"OF HUMAN BONDAGE"

with

RKO-RADIO PICTURE

BETTE DAVIS

PANDRO S. BERMAN
EXECUTIVE PRODUCER

Frances Dee, Kay Johnson, Reginald Denny • Directed by John Cromwell

PRESENT IT WITH PRIDE . . . ADVERTISE IT WITH CONFIDENCE!

National Advertising Campaign For The Daily Newspapers Of YOUR City Now Ready!

See your RKO Branch Manager about our cooperation in running these half page ads in your city.

[Enlarge this advertisement for lobby display purposes]

TO THE

LEGION OF DECENCY

FEDERAL COUNCIL OF CHURCHES
NATIONAL JEWISH WELFARE ASS'N
AND THE EXHIBITORS OF AMERICA

●

MONOGRAM PICTURES

ANNOUNCES A SPECIAL

TRADE PREVIEW

OF CHARLOTTE BRONTE'S
IMMORTAL CLASSIC

"JANE EYRE"

FEATURING

VIRGINIA COLIN
BRUCE • CLIVE

MONDAY — JULY 16th — 11 A. M.

CRITERION THEATRE
44th STREET AND BROADWAY

DIRECTED BY
CHRISTY CABANNE

SUPERVISED BY
BEN VERSCHLEISER

ADAPTED BY ADELE COMANDINI

●

Will please in every theatre it screens. Virginia Bruce's performance is all that is to be desired. The story develops at a rapid pace without a dull moment throughout. Fortunate, indeed, will be the theatre playing this picture, for it is destined to pile up terrific grosses. A highly pleasing adaptation.

BILLBOARD, July 14th

The Leading Daily Newspaper of the Motion Picture Industry

MOTION PICTURE DAILY

Alert, Intelligent and Faithful Service to the Industry in All Branches

VOL. 36. NO. 11 NEW YORK, SATURDAY, JULY 14, 1934 TEN CENTS

Darken Less In Chicago This Season

Cooling Systems Being Installed Widely

CHICAGO, July 13.—Hot weather, bugaboo responsible for wholesale theatre closings in years past, is making no headway with local exhibitors this year. A canvass of the situation reveals there will be fewer closings in Chicago this summer than at any time in the past five years. In fact, local exchange managers were all but "stumped" when asked to estimate the number of closed houses. They "just

(Continued on page 4)

Stabilizing Moves Again Fail in K. C.

KANSAS CITY, July 13.—The latest attempt to stabilize Kansas City's price and policy situation has met with failure, due to the refusal of five or six neighborhood exhibitors to sign an agreement eliminating 10-cent admissions and restricting duals to one a week. Jay Means, I. T. O. president, heading a committee of independents attempting to put the agreement through, says he has "shelved"

(Continued on page 4)

Two K. C. Cases Hit Kansas Free Shows

KANSAS CITY, July 13.—Free shows are hit in two complaints filed with the grievance board, which has eight cases awaiting determination. Other complaints have to do with children's clubs at reduced admission, double featuring ahead of the spot and free passes.

F. E. Ritter, Fox Midwest booker, wants the board to act against William Perry, who puts on free shows in cooperation with the merchants at

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Set to Begin Check On Free Admissions

WASHINGTON, July 13.—With 503 questionnaires returned out of 516 sent out, James W. Baldwin, Campi executive officer, today was ready to begin tabulations to determine the extent of free admissions. Baldwin said that from a cursory glance at the returns he believes the practice is extremely widespread and that the tabulation will show a large number of free admissions weekly.

Exhibition Active; New Firms, Circuits Growing

DOVER, Del., July 13.—Midhio Theatres Corp. has been chartered here to conduct and carry on business of theatrical proprietors, etc., listing capital of $10,000. The incorporators are C. S. Peabbles, L. H. Herman and Walter Lens of Wilmington.

Eastern Amusement Co. has also been chartered with 1,000 shares, no par value. The incorporators are Y. F. Freeman, M. F. Gowthorpe and W. B. Cokell of New York.

LINCOLN, Neb., July 13.—Cornhusker Theatres, Inc., part of Westland Theatres, Inc., at Colorado Springs, Colo., the operating company, have purchased the Rialto from Calvin Bard and the State from G. L. Hooper and George Monroe.

Bard has been active with the independent theatre owners who have been objecting to the code.

ALBANY, July 13.—Two amusement firms have just been chartered here. One is Institutional Cinema Service,

(Continued on page 4)

Theatres in Frisco Delaying Bookings

SAN FRANCISCO, July 13.—All theatres are delaying film and stage bookings because of the prospect of a strike among theatre unions. Members have voted to take part in the general strike which is planned by the general strategy committee of the labor unions now in charge of the waterfront workers strike. All theatres are suffering as a result of the long drawn out labor battle.

New Saenger Setup Hearing Is Delayed

Submission of a plan of reorganization of Saenger Theatres, scheduled for a hearing before Referee Davis yesterday, was postponed to an undetermined date.

The setback is a technical one made necessary by changes in legal documents under the new bankruptcy laws.

B. & K. Is Refused Extended Clearance

CHICAGO, July 13.—B. & K.'s request for extended protection was denied this afternoon in an official decision by the clearance and zoning board. This means there will be no change in the releasing system.

Despite citywide opposition the board's decision may be appealed to Code Authority.

Another New Title

Hollywood, July 13.—New Orleans can relax. Paramount has given up that "Belle of New Orleans" title for Mae West's next opus. It will be "Belle of the Nineties."

Uptown Manhattan may now protest.

British Want Quota Cut on Native Films

By BRUCE ALLAN

LONDON, July 13.—The general council of the Cinematograph Exhibitors' Ass'n. has endorsed a recommendation of the general purposes committee that the president of the Board of Trade be asked to receive a deputation to urge abolition of the exhibitors' British quota, or its reduction to 10 per cent "until he can insure that quota quickies are replaced by pictures of worth while exhibition quality."

This action followed a letter from the London branch to the council and

(Continued on page 4)

"U" Musical Output Is Being Increased

HOLLYWOOD, July 13. — Universal will add several pictures to the current cycle of musicals with three already nearing completion and two more to go into production within the next eight weeks. Those working are "Romance in the Rain," "Wake Up and Dream," and "Gift of Gab." In addition to the two other features, as yet untitled, Warren Doane will produce a series of four musical shorts.

Warners Will Close St. Louis Shubert

ST. LOUIS, July 13.—Acting on orders from the New York office, Warners have given two-week notices for the closing of the Shubert. Closing of the house may help Harry Koplar and Allan Snyder get product for the Ambassador, Missouri and Grand Central, which were taken over today.

Protestants Join for New Film Pledges

Leaders from 25 Groups Outline Program

Following a discussion by representatives of 25 churches and other organizations affiliated with the Federal Council of Churches of Christ in America yesterday, a form of pledge not to patronize objectionable pictures was agreed upon.

Its form is very similar to the Legion of Decency pledge of the Catholic Church. Educational material and the pledges are to be mailed to 100,000 Protestant pastors in the early fall, it was stated, "as a part of the movement for a concerted attention to the motion picture problem on Sunday, Oct. 21."

The carrying out of the program, it was stated, will be through the cooperative action of the various national denominational agencies, and also by the city and state councils of churches.

Promotion of the program will be handled by a special committee headed by Rev. Dr. Harold McAfee Robinson of Philadelphia, secretary of the Presbyterian Board of Christian Education. The executive officer will be Rev. Dr. Worth M. Tippy, executive secretary of the Federal Council's Department of Social Service.

Rev. Dr. Samuel McCrea Cavert,

(Continued on page 3)

Kuykendall Takes Clean Film Stand

That the M. P. T. O. A. is "entirely in accord with any person or organization that condemns that which is not clean and wholesome," was asserted by Ed Kuykendall, president, in a statement issued yesterday.

Kuykendall at the same time denounced "wholesale condemnation of the industry," asserting that "condemning everything, whether it be good or bad, would not be fruitful

(Continued on page 3)

Local 306 Records Returned by Court

Justice Dunne, in the Brooklyn Supreme Court, yesterday ordered District Attorney Geoghan to return records seized 10 days ago from Local 306.

He remarked upon the "laudable zeal" in acting against the union after receiving complaints, but pointed out that constitutional guarantees had been violated by the seizure of the books.

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"Queens Affair" to U. A.

"The Queen's Affair," a British & Dominion picture produced and directed by Herbert Wilcox and starring Anna Neagle and Ferdinand Graavey, will be released during the coming season by United Artists.

Both Neagle and Graavey were also starred in "Bitter Sweet."

Shirley Wants $2,500

HOLLYWOOD, July 13.—Shirley Temple's father is reported to have upped her salary demand on Fox to $2,500 per week. Her first contract, signed about a year ago, called for $150 per week. Recently it was indicated that the studio had offered her $1,000 a week.

First Mundus Sale Set

William Settos, exhibitor operating the Liberty in Springfield, O., has made the first purchase of a Mundus picture in his territory. Settos bought a group of the 27 features for immediate showing.

"Crusaders" for DeMille

HOLLYWOOD, July 13.—Cecil B. DeMille's next will be "The Crusaders," from the Harold Lamb novel. It will be done on a pretentious scale with four leading men and four leading women.

Twins Born to Crosbys

HOLLYWOOD, July 13.—Bing Crosby and his wife, the former Dixie Lee, today became parents of twin boys.

MOTION PICTURE DAILY'S HOLLYWOOD PREVIEW

"The Barretts of Wimpole Street"

(M-G-M)

HOLLYWOOD, July 13.—As if in answer to present headlines comes this attraction, and attraction it is with the name values of Norma Shearer, Fredric March and Charles Laughton and rich romance spanning emotion's realms for sobs, smiles and heart interest.

Briefly, the story pictures the Barrett household in London in 1845. Elizabeth (Miss Shearer), unable to walk, spins poetic verses which attract Robert Browning, played by March.' Their love drama, as history records, blocked by her father (Laughton), is recreated and consummated with exquisite feeling for moderns.

Miss Shearer, as a lady of beauty and grace, evokes deep sympathy as a spiritual girl thwarted by nature and a cruel father, but inspired to health and happiness by the poet Browning.

March, in a fiery, romantic mood, strikes a popular chord as the poet unshakable in affection. Laughton, as the hateful father, gives a memorable performance.

Maureen O'Sullivan wins her acting spurs as Miss Shearer's younger sister, while Una O'Connor is an artistic delight as Miss Shearer's maid. Katherine Alexander, Ralph Forbes and particularly Marion Clayton render nigh-perfect support.

Sidney Franklin, plumbing unchartered regions of the heart, directs with deft feeling. The screen play by Ernest Vajda, Claudine West and Donald Ogden Stewart is a model of stage play translation.

The production handles the sophisticated angle subtly with mass appeal dominant.

Irving Thalberg's second production in two years evidences unmistakingly that the initials of his name are prophetic.

The film's box-office names, performances and romantic wholesomeness assure its smashing public reception. Running time, 105 minutes.

"Hat, Coat and Glove"

(Radio)

HOLLYWOOD, July 13.—"Hat, Coat and Glove" starts out to become a somewhat confusingly dramatic romance with an eternal triangle, but quickly shifts into a murder mystery with cleverly worked out courtroom situations carrying suspense and mystery to the end.

Ricardo Cortez, in the pivotal role of the story as the defending attorney and estranged husband of his wife, is pleasing and sympathetic, while Barbara Robbins, making her screen debut here, gives a creditable performance as the wife. Miss Robbins fervently appeals to Cortez to defend her younger lover, who is accused of murdering a girl, whose suicide indicates murder. The boy is entangled in so much circumstantial evidence based on a hat, a coat and a glove that Cortez accedes to his wife's appeal on the promise that she will return to him. In fighting the case Cortez endangers his own life by assuming the blame, though through clever manipulation of defensive strategy he clears all and his wife returns to him convinced that their love is greater than any temporary affection. Much credit for originality and difference in building the courtroom mystery must go to Frances Faragoh for his treat-

(Continued on page 3)

Pathe Up One on Big Board

	High	Low	Close	Net Change	Sales
Columbia Pictures, vtc	28	27¼	28	— ½	100
Consolidated Film Industries, pfd	13½	13½	13½	+ ⅛	100
Eastman Kodak	98⅝	97⅞	98⅝	+ ⅝	500
Fox Film "A"	12½	12½	12½	— ⅛	1,100
Loew's, Inc.	27⅝	26¾	27½	+ ⅜	4.800
Loew's, Inc., pfd.	91	91	91	.....	100
Paramount Publix	3⅝	3½	3½	— ⅛	1.800
Pathe Exchange	2	1¾	2	+1	600
Pathe Exchange "A"	20	19⅜	19⅝	+ ⅛	300
RKO	2⅛	2	2⅛	.....	1,000
Warner Bros.	5	4¾	4¾	— ⅛	600

Technicolor Off ¼ on Curb

	High	Low	Close	Net Change	Sales
Technicolor	13½	13¼	13¼	— ¼	500

Warner Bonds Slump 1¼

	High	Low	Close	Net Change	Sales
General Theatre Equipment 6s '40	7⅛	7⅛	7⅛	+ ⅛	1
Keith B. F. 6s '46	67¼	67¼	67¼	— ½	1
Loew's 6s '41, ww deb rights	101	101	101	.....	11
Paramount Broadway 5½s '51	40	40	40	.....	5
Paramount F. L. 6s '47	47⅞	47¾	47¾	—1	4
Paramount Publix 5½s '50	48½	48¼	48¼	— ½	5
Warner Bros. 6s '39. wd	54	53½	53½	—1¼	7

Purely Personal

HARRY BUXBAUM is priding himself in the honors his sons are garnering these days. JACKIE recently won first prize in a Cedarhurst regatta, and HARRY, JR., recently took top honors in a Far Rockaway speedboat race.

PERCY PHILLIPSON, almost an expatriate from England what with General Register business making him a near-permanent visitor here, was joined by his wife and daughter, PAM, yesterday. They arrived on the *Aquitania* for the summer.

DENSMORE AARON ROSS, son of HARRY A., president of Ross Federal Service, shortly marries GRAYCE MAOMI RULAND. The prospective bridegroom is in charge of branch operations in his father's company.

SLAVKO VORKAPICH, film technician who worked on "Viva Villa," will speak on "Principles of Effective Cinema" at the Film and Photo League Monday night.

JANET GAYNOR, with her mother and MISS LILLIAN MYHRE, a traveling companion, are in town. They will leave soon for Norway, Sweden and Denmark.

SARI MARITZ has been signed by NAT LEVINE, president of Mascot, for a role in "Crimson Romance." She leaves by plane tonight for the coast.

HOWARD DIETZ has been away from his desk at M-G-M due to illness. Probably another week will elapse before he returns.

MARCEL VALLEE, French film player, and MRS. VALLEE will sail on the *Champlain* early tomorrow morning.

MIRIAM HOPKINS left for the coast yesterday to begin work in "The Richest Girl in the World."

LANNY ROSS leaves for Hollywood Monday for a role in Paramount's "College Rhythm."

ED OLMSTEAD is getting an office all his own at Columbia. It's in preparation now.

ISABEL JEWELL, who has been in town on vacation, leaves today for the coast.

Hit Bank's Statement

CLEVELAND, July 13.—Cleveland exhibitors, through M. B. Horwitz, attack the statement made by the Cleveland Trust Co. in an advertisement recently that paid admissions at approximately 80 first runs and neighborhood houses in Cuyahoga County increased to a total of $3,523,025 in the first five months of this year, comparing with $2,147,876 in the same period of 1933. The statement, exhibitors say, may give distributors the idea of boosting film rentals.

Meins Replaces McCarey

HOLLYWOOD, July 13.—Gus Meins, long associated with Hal Roach, replaces Ray McCarey as director of "Babes in Toyland." The latter failed to agree with the studio on the treatment. This will be Meins' first feature.

Oregon Against Duals

PORTLAND, July 13.—In a signed questionnaire 85 per cent of Oregon exhibitors have declared themselves opposed to double bills.

Protestants Join for New Film Pledges

(*Continued from page 1*)

general secretary of the Federal Council, said the decision to circulate a pledge was the result of a "spontaneous demand." Several organizations are already using pledges, he said.

Dr. Cavert made it plain the campaign was not for the purpose of bringing about censorship.

"Certain critics have given a false impression of the nature of the present campaign by calling it censorship," he said. "There is no ground whatever for such an inference. Our campaign is a wholly voluntary cooperative effort on the part of great numbers of men and women in the churches to secure a better motion picture product by refusing to 'buy' a product that they do not want. That is a thoroughly democratic way of saying to the producers they are mistaken in thinking that they have been giving the public what it wants. If this campaign fails—because of misrepresentation or other reasons—censorship will almost certainly come. If it should come, it would be due to the motion picture industry itself."

Those at Meeting

Among those present were: Brigadier John J. Allan, Salvation Army; Mrs. Jesse M. Bader, National Council of Federated Church Women; Rev. George J. Becker, Reformed Church in America; Rev. W. G. Boyle, National Council of North Baptist Men; J. Henry Carpenter, Brooklyn Federation of Churches; Rev. S. M. Cavert, Federal Council of Churches; W. T. Clemens, Greater New York Federation of Churches; George G. Davis, American Unitarian Ass'n.; Miss Amelia Durbin, W. C. T. U.; Rev. Walter M. Howlett, Greater New York Federation of Churches; Godfrey Hammond, *Christian Herald;* Albert R. Klemer, National Council Y. M. C. A.; Miss Edith E. Lowry, Council of Women for Home Missions; F. S. Mead, The *Homeletic Review;* Rev. J. Quinter Miller, Hartford Council of Churches; Richmond P. Miller, Society of Friends; Leslie B. Moss, Foreign Missions Conference of N. A.; Rev. Harry S. Myers, Northern Baptist Convention; Rev. John McDowell, Presbyterian Church of the U. S. A.; Rev. Frederick B. Newell, N. Y. C. Society of the M. E. Church; Mrs. Elizabeth Watson Pollard, Epworth League and Young People's Work of the M. E. Church; Mrs. Walter Rautenstrauch, National Council of Y. W. C. A.; Miss Elsie G. Rodgers, Presbyterian Board of Christian Education; Miss Henrietta Roelofs, National Board, Y. W. C. A.; Graham Steward, *Christian Herald;* Miss Katharine Terrill, Department of Social Relations, Congregational Education Society; Rev. Worth M. Tippy and George J. Zehrung, National Council Y. M. C. A.

Broadcasting Started By Legion in Chicago

CHICAGO, July 13.—A series of broadcasts over local stations has been launched in behalf of the Legion of Decency campaign. Speakers include Rev. George T. McCarthy, Bishop Bernard J. Sheil, Rev. Louis F. Kroeck, William J. Campbell and John J. Collins.

Rev. J. P. O'Reilly is chairman of the radio committee. The movement is under the direction of Cardinal Mundelein and Bishop Sheil.

Indicates Baptists to Join Church Campaign

CHICAGO, July 13.—J. Howard Williams, general secretary of the Baptist general convention of Texas, an organization of 3,000 churches and 550,000 members, has indicated he will take up a campaign against indecent films at the Baptist World Alliance in Berlin Aug. 4.

Support of the Legion of Decency campaign by people of all faiths is urged here by Dr. Robert Clements, president of the Chicago Church Federation. "We hope every church will assist in this movement with vigor and enthusiasm," he states.

Boston to Boycott Producer for Month

BOSTON, July 13. — Boycotting for one month the producer of a picture adjudged indecent is the main feature of a system to be put into effect by the end of July by the Boston Legion of Decency in its drive against objectionable films.

The aim of the league, according to the Rev. Russell M. Sullivan, representative of Cardinal O'Connell, is "prevention rather than censorship."

Presbyterians in Wash. Vote to Join Film Drive

SEATTLE, July 13.—The Presbyterian Synod of Washington has gone on record at its 45th conference here as opposed to the industry. It denounces block booking and pledges to join the drive to purge the screen. Presbyterian congregations are being urged not to patronize bad films.

MOTION PICTURE DAILY'S HOLLYWOOD PREVIEW

(*Continued from page 2*)

ment and to Worthington Minor for his direction. Those in the supporting cast are John Geal, Sarah Haden, Samuel Hinds, Dorothy Burgess and Margaret Hamilton.

The picture should be generally accepted by adults and more so by that class seeking murder mystery courtroom stories salted with sophistication. Running time, 65 minutes.

"Elmer and Elsie"

(*Paramount*)

HOLLYWOOD, July 13.—Clean, wholesome and homespunny is this comedy of a piano truckman, George Bancroft, who marries a small town concert pianist, Frances Fuller, saves a high-priced piano from being smashed by falling under it, which, together with the speech his wife makes in his stead, elevates him to the position of foreman.

While there is nothing startling in the film, it is suffused with bonhommie, has some laugh incidents, with Bancroft contributing some highly amusing light comedy interludes and Roscoe Karns, his pal and detractor, a good foil for George.

Although the character of Elmer is sappy at the start, Bancroft's personality comes through to save it. Miss Fuller is sweet as Elsie. George Barbier contributes a choice performance as a Babbitt factory owner. Gilbert Pratt's first directorial effort merits encouragement.

If George S. Kaufman and Marc Connelly's original story kidded the truckman—makes good formula—the production overlooks this, playing it straight for homey humor and not satire. For neighborhoods, where contentment and comfort are glorified, this will go nicely as a programmer. Running time, 75 minutes.

Looking 'Em Over

"Dancing Man"

(*Pyramid-State Rights*)

This Pyramid production suffers primarily from incoherence in its latter half. Everything considered, however, it is passable entertainment for the neighborhood trade. It has a good cast, nice settings and a yarn that generally holds the interest even if it does become a bit muddled toward the end.

An aging man of wealth (Edmund Breese) has reason to suspect his youthful wife (Natalie Moorhead) of having an affair with a gigolo (Reginald Denny). His daughter by an earlier marriage (Judith Allen) falls in love with the fellow without knowing he is the man her stepmother is infatuated with. This causes a break between Miss Allen and Denny, although the latter does not care for Miss Moorhead and plans to turn over a new leaf by taking a job in South America.

Following a party at Denny's studio apartment, Miss Moorhead is found dead. From this point on the film develops into a complicated murder mystery with all the customary trappings. Developments in this portion of the film are not always clear, but suffice it to say that Denny has nothing to do with the killing, although he is under suspicion. One of Miss Moorhead's former husbands (Edwin Maxwell) with a weakness for blackmailing is the guilty one.

Also in the cast are Robert Ellis and Huntley Gordon. Al Ray directed. Running time, 65 minutes.

Kuykendall Takes Clean Film Stand

(*Continued from page 1*)

of results and would fall of its own weight of unfairness."

"Anyone can jump on the bandwagon," he added. "Instead of condemnation let's all of us work together for the accomplishment of that which we all desire—clean amusement."

Kuykendall referred to the producers' agreement to permit cancellation of any film publicly adjudged unclean as "further conclusive proof that the motion picture industry as a whole is cooperating to the utmost in the campaign for entertainment in good taste."

First Films to Get Breen's O. K. Named

HOLLYWOOD, July 13.—The first batch of certificates of approval has been handed out by Joseph I. Breen in accordance with the industry's new plan of self-regulation.

Features entitled to bear the official seal of the M. P. P. D. A. are:

"The World Moves On," "Handy Andy," "Baby, Take a Bow," "She Learned About Sailors," "Charlie Chan's Courage," "She Was a Lady," "Grand Canary," "Change of Heart," "David Harum" (Fox); "Paris Interlude," "Treasure Island" (M-G-M); "The Defense Rests," "Beyond the Law" (Columbia); "Elmer and Elsie," "Ladies Should Listen," "The Scarlet Empress," "She Loves Me Not" (Paramount).

Serials certified are "Sentenced to Die," "A Leap for Life," "The Night Attack" and "A Treacherous Ambush," all Universals.

Shorts given certificates are: two of the "Going Places" series and two "Stranger Than Fiction" issues (Universal); "La Cucaracha" (Radio); "Them Thar Hills" and three "Goofy Movies" (M-G-M); "Mike Fright" (Hal Roach).

Massachusetts Men Favor Cooperation

BOSTON, July 13.—Resolutions have been adopted by Allied Theatre Owners of Massachusetts putting the members on record in favor of clean pictures and saying the situation calls for "earnest cooperation of producers, exhibitors and the public."

The resolution further asks "that all parties interested be urged to bring about an early solution of this problem, and we, the Allied Theatres of Massachusetts, pledge ourselves to bend our every effort to effect this solution and will welcome and give cooperative consideration to any workable plan which may be evolved."

Church Crusade to Feature KMTA Meet

KANSAS CITY, July 13.—The current religious crusade for clean films is definitely scheduled for discussion at the 16th annual convention of the Kansas-Missouri Theatre Ass'n. to be held here Tuesday in the Variety Club rooms at the Muehlebach Hotel.

"There never was more urgent need when exhibitors should band together to discuss the various matters that confront them," A. F. Baker, president, said in an association bulletin. "We know that many of you have stood the brunt of the drastic agitation launched against all branches of our industry."

Darken Less In Chicago This Season

(*Continued from page 1*)

couldn't think of any offhand." Contrarily, they could readily recite numerous houses recently reopened.

A manufacturer of theatre cooling and refrigerating systems declares that the comfort idea has hit Chicago exhibitors as in no previous years. Essaness Theatres, which have gradually been bringing their neighborhood houses into the cooled and refrigerated class, have put systems in seven additional houses this spring.

AKRON, O., July 13. — The Colonial (Shea), downtown deluxe house, which dropped first run films five weeks ago for a summer run of dramatic stock, has gone dark until August 4 when it will reopen with first run films.

YOUNGSTOWN, July 13.—The Park, major downtown house, has closed for four weeks for renovation. The house will reopen early in August with straight film policy. For some time the Park has been playing dual first runs.

FORT WAYNE, Ind., July 13.—Theatres closed in this city are the Palace, one of the Quimby houses; the Majestic, lately used by the Old Fort Players; the Lincoln, which lately has played German and sex pictures, and the Transfer, downtown. The Palace will reopen in the early fall.

The Strand, closed for the past six years, has opened and is now showing burlesque.

CINCINNATI, July 13.—Concurrently with the closing of the Grand, local RKO vaudefilm spot, the RKO Colonial, Dayton, went dark until August 17. The Colonial has been playing five acts on a weekly basis, with the acts jumping to Dayton after closing here.

PITTSBURGH, July 13.—After stalling off expected closing several weeks due to release of several Fox pictures originally intended for the Alvin, Mort Shea's Fulton has gone dark for several weeks.

AKRON, O., July 13.—The Miles-Royal, 1,500-seat de luxe neighborhood spot, dark for some time, has reopened with a grind policy of musical tabs and pictures at 25 cents top. G. B. Odlum, until recently manager of Constant's Palace, at Canton, O., is in charge.

ALLIANCE, O., July 13.—The Columbia, which closed June 1, will reopen shortly with a stage policy and first run films playing the last half of each week. The house will be dark the first half of the week until Sept. 1, when it resumes a seven-day operating schedule. Ray Wallace, manager, also operates the Morrison and the Strand.

PASSAIC, N. J., July 13.—The Playhouse, dark for more than five years, will be reopened early in September by Warners. The theatre is now being renovated and wired.

Exhibition Active; New Firms, Circuits Growing

(*Continued from page 1*)

Inc., 200 non par value shares, with Edward Elman, Henry H. Silverman and Irving G. Morris as directors. The other is Surf Avenue Enterprises, Inc. Incorporators are David N. Goldman, Bernard R. Gogel and Florence S. Epstyne.

DOVER, Del., July 13.—A. H. Woods, Ltd., has been chartered here as a theatre enterprise. The incorporators are Emile Bonnot, F. F. Kane and J. A. Lauridsen of New York City.

NORFOLK, July 13.—James S. Hodges heads the new States Shows, Inc., just chartered with capitalization of $10,000 to operate theatres. Other officers are: George Peek, vice-president; Alice Howard, treasurer, and W. H. Starkey, secretary.

CINCINNATI, July 13. — Contracts have been awarded for rebuilding the Hippodrome, a unit of the Frankel Amusement Enterprises, located at Newport, Ky., across the river from here. The house was destroyed by fire several months ago. It is planned to have the building ready in October.

NEW ORLEANS, July 13.—William Koll has opened a tent theatre in Houma in opposition to the Grand. The idea is mostly an experiment. According to Koll, if it is successful similar ventures may be installed elsewhere.

DENVER, July 13.—The Fox Isis, 10 and 15-cent grind, has blossomed out in new dress—remodeled, redecorated, new marquee, seats and with organ overhauled. About $15,000 was spent.

SILVER CITY, N. M., July 13.—A new theatre, as yet unnamed, will open here about Aug. 15. Eddie Ward, mayor and owner, also has the other theatre here, both of which are affiliated with the Gibraltar group, with headquarters in Denver. The house will seat 400.

NEW ORLEANS, July 13.—Max Heine has organized the Avenue Theatre Corp., which is now operating the Avenue. The new company has a lease ending May 14, 1938, with an option of purchase within six months for $27,500.

SOUTH BEND, July 13.—Chicago bondholders represented by James Kelly bid in the Christman Building, which houses the Colfax Theatre, for a sum sufficient to satisfy a judgment totalling $468,020.05. Fixtures in the theatre were included in the sale.

GRINNELL, Ia., July 13.—The Iowa and Strand have been merged under the Strand Corp. William Mart, manager, will continue present policies at both houses. Dick Phillips, manager of the Iowa, becomes traveling manager for Central States Theatres.

Stabilizing Moves Again Fail in K. C.

(*Continued from page 1*)

the plan but has not abandoned it entirely.

In the absence of a voluntary agreement, it is felt that the new clearance schedule and contract stipulations for the new season will bring about the reforms sought.

Dissenters are exhibitors who charge 10 cents two or more nights a week. They declare themselves willing to establish a minimum of 15 cents provided competitive houses in the same zone will set their scales on a higher level. No agreement apparently can be reached on that score.

Two K. C. Cases Hit Kansas Free Shows

(*Continued from page 1*)

Coffeyville, Kan. Violation of the non-theatrical clauses of the code is alleged. Perry gets his film from the Silent Film Exchange of Kansas City and American Distributors Corp. of Omaha, according to the complaint.

The second free show action has been brought by S. H. Yoffie, exhibitor in Appleton City, Mo., who charges S. A. Myers, exhibitor of Rockville, Mo., with running free shows in Appleton City. The performances are staged by the merchants in the local park. Consolidated Film Distributors of Kansas City is cited as furnishing film.

Mrs. A. Baier of the Lindberg, authorized by the I. T. O. to file grievances, has brought action against the Linwood, Gladstone, Isis, Waldo and other Fox Midwest houses on a charge of reduced admission by admitting members of the Br'er Fox clubs for five cents at Saturday afternoon matinees, whereas the minimum established by zoning and clearance is 10 cents. She filed a similar complaint against R. R. Rhoades, Gillham Theatre, where children are admitted for a nickel at Big Brother club shows.

Other complaints filed by Mrs. Baier are against Emanuel Rolsky, National, double featuring 14 days ahead of regular spot; Fox Vista, dual bill at 15 cents ahead of schedule; C. A. Schultz, operating the Mokan, free passes in violation of the code.

Another case pending is against H. H. Barrett, Ritz, charging reduced admission and premature advertising by running a Radio picture at 10 cents 21 days ahead of the spot and on a double bill which would set it back further. The complaint was filed by the Fox Vista.

The grievance board has gone on a schedule of meetings every 10 days

Liberty Closing Season

HOLLYWOOD, July 13.—Having completed "School for Girls," Liberty shortly starts work on "Without Children," last of the eight planned for the current season.

Marin Signed by M-G-M

HOLLYWOOD, July 13.—Edwin Marin, who has just completed "Paris Interlude" for M-G-M, has signed a new long-term contract with the company.

British Want Quota Cut on Native Films

(*Continued from page 1*)

strong resolutions from the Notts, Derby and West Lancashire branches.

This is another angle of the agitation against cheap American quota pictures made here that first found public expression at the Blackpool convention.

At present British exhibitors are compelled to show 12½ per cent of British pictures. They are actually showing 23.7 per cent. This uses up about half the British product available.

American quota pictures—17½ per cent at present—are produced in England at a cost of $25,000 to $30,000, and it is estimated that half the British production as a result is worthless for exhibition purposes. The present move of the C. E. A. is another phase of the move to secure some kind of a quality guarantee.

Pikeville Buying Case Is Dismissed

CINCINNATI, July 13.—The grievance board has ruled that G. C. Scott, Pikeville, Ky., was not overbuying for the Liberty under his policy of seven weekly changes. Complainant was Pikeville Amusement Co., operating the Weddington. Evidence showed that Scott was playing one picture for two days a week, and using double features one day every week to take care of the product. Complainant's interests were not considered jeopardized when it was brought out that he had the privilege of buying other product on accounts open in his town, of which he had not availed himself.

The board decided it was without jurisdiction in the case of Forest Amusement Co., asking cancellations under a contract with Paramount, for the Forest and Nordland, neighborhoods, on films termed objectionable by the Legion of Decency.

Complaint Aimed at New House Dropped

OMAHA, July 13.—The complaint of Owen Frederick, operator of the Cal at Wood River, Neb., against John Lyhane, in an effort to prevent the latter from opening a theatre in Wood River, has been dismissed by the grievance board on the ground the board lacked authority.

A. Beams of Red Cloud, Neb., has been ordered to end merchants' coupon tickets and cut rate prices. The complaint was filed by Gladys McArdle of Lebanon, Kan., just across the line from the Nebraska town.

Off to South Seas

HOLLYWOOD, July 13.—M-G-M will send a troupe to the South Seas to shoot background shots for "Mutiny on the Bounty" which Frank Lloyd will direct. He will also seek a native Polynesian for the feminine lead.

Warner Title Is Changed

Warners have changed the title of "A Lady Surrenders" to "Desirable."

The Leading Daily Newspaper of the Motion Picture Industry

MOTION PICTURE DAILY

Alert, Intelligent and Faithful Service to the Industry in All Branches

VOL. 36. NO. 12 NEW YORK, MONDAY, JULY 16, 1934 TEN CENTS

Myers Calls Cancellation "Red Herring"

Legion Lists Should Be Criterion, He Says

WASHINGTON, July 15.—Abram F. Myers, general counsel for Allied, calls the privilege of cancellation of pictures to which public groups object "a red herring," and "so vague as to be meaningless."

"There are thousands of communities where there are no definite organizations, but where a large proportion of the population is governed in movie attendance by the lists of condemned pictures promulgated by national and state groups not represented in such communities," the statement reads. "Had Mr. Hays desired to

(Continued on page 6)

Samuelson May Quit Jersey Leadership

Because of the amount of work the presidency of the national Allied organization has piled on him, Sidney Samuelson may decline to run again as head of the New Jersey unit, which holds its election at the annual convention Aug. 22-24 in Atlantic City.

Samuelson says he hasn't decided yet whether he will want to continue as New Jersey leader, but expects to come to a definite decision within the next few weeks.

In the event he refuses to be renominated, it is most likely Julius

(Continued on page 6)

Ky. Exhibitors Plan Fight to Absorb Tax

FRANKFORT, July 15.—Kentucky exhibitors, faced with loss of business through adoption of the sales tax, which went into effect July 1, will make a determined fight to be permitted to absorb the impost themselves instead of passing it on to the public. The law specifically provides that the tax must be paid by the purchaser and specifies penalties for anyone who attempts to pay the tax himself.

Fox's Counterclaims Overruled by Court

Counterclaims filed by William Fox against Fox Theatres Corp., when he was sued some time ago by the receivers for a sum totaling $2,066,082, have been thrown out by decision of the Appellate Division of the Supreme Court.

The court ruled that if the claims

(Continued on page 2)

Various Para. Groups Near Understanding

Are Reported Closer on Reorganization Views

Various groups interested in Paramount's reorganization and emergence of the company from the bankruptcy courts were reported proceeding in closer understanding than has prevailed for some time on Saturday.

This was construed not necessarily as indicating the company was as yet ready to move for final reorganization, but rather is indicative of a desire for as much cooperation as may be effected in view of conflicting points of view as against adoption of obstructionist tactics.

One source, close to the situation, summed it up in this fashion:

"I think it entirely fair to say that bondholders, debenture holders and common stockholders now lean toward a pretty well established conviction that there is no birthday cake to be

(Continued on page 4)

No Para. Committee Meets Planned Now

No immediate meetings of Paramount's theatre advisory committees are planned, it was said Saturday, the last session having been held on the coast during Paramount's annual sales convention.

The presence of N. L. Nathanson, Barney Balaban, Martin Mullin and Sam Pinanski does not have to do with theatre advisory sessions, it was asserted.

Cleveland Pleased By Week of Singles

CLEVELAND, July 15.—Cleveland exhibitors are delighted with the first week's business under a single feature standard. Subsequent run houses, which anticipated a sudden drop in

(Continued on page 2)

A Long Time

Cincinnati, July 15.—A local exhibitor and branch manager were discussing the film and other codes.

Said the exhibitor:

"Don't expect too much of any code. Think how long it is taking to put over the very simple one Moses presented."

Campi Orders Quick Action On Clearance

Campi has put its foot down on local clearance and zoning boards, ordering members to immediately dispose of all pending protests on current and new schedules filed before July 1.

The order came as a result of complaints of various distributors who claim that holding up of the schedules has retarded the sales season.

Of the 31 exchange centers, only 17 have been heard from. These key spots have sent in schedules for 35 cities in their territories.

While no time limit is given to the hearing of the pending protests, the order states that appeals must be made five days after decisions are handed down and schedules published. Boards will not hear complaints filed after July 1.

With the declaration that no further extension from the July 1 deadline will be granted, Campi faces many complaints from exhibitors whose

(Continued on page 6)

FWC Files Protest On Coast Clearance

LOS ANGELES, July 15—After playing an important part in the promulgation of the local clearance and zoning schedule, Fox West Coast has protested to Campi that it wants to continue schedules as they are now constituted, including duals.

Campi has heard the protest, but no action has been taken.

127 Houses in 22 Cities Report $1,173,017 Gross

One hundred and twenty-seven key city houses in 22 cities report a total gross of $1,173,017 for the theatre week ending June 21-22. This compares with $1,111,432 for 125 houses covering the previous seven-day period.

Boston, Chicago, Cleveland, Detroit, Indianapolis, Kansas City, Los Angeles, Minneapolis, Omaha, Philadelphia, San Francisco, St. Paul, Seattle and

(Continued on page 4)

Foreign Film To Get Close Code Scrutiny

Imports, Eastern Output Must Get Hart O. K.

Foreign product, annexed by Hays distributor-members for this market, is to be submitted to the reinforced Production Code Administration which becomes operative at midnight tonight.

Vincent G. Hart, for several years handling the eastern administration of the production code, will be in charge, cloaked with powers identical with those conferred upon Joseph I. Breen, Production Code Administrator, by resolution of the Hays board of directors on June 13, although Hart is answerable to Breen.

All eastern production, whether feature or shorts, will be submitted to Hart in script form prior to the cranking of a camera. Where, it is

(Continued on page 6)

Liberties Union in Move on Film Drive

Organizations fighting objectionable pictures were called upon in a statement issued yesterday after a meeting of the National Council on Freedom from Censorship, unit of the American Civil Liberties Union, to clarify their attitude toward state and Federal censorship. Copies of the statement were sent to Cardinal Hayes, the Legion of Decency, the M. P. Research Council and other groups.

"The council feels," says the statement, "that the agitation against the movies has created a large measure of confusion in the public mind and that the organizations which have engendered the publicity owe it to the

(Continued on page 6)

Censors So Severe, Kansas Clergy Calm

KANSAS CITY, July 15.—The work of the Kansas censors has been so efficient that a church campaign against indecent films in Kansas does not appear to be necessary, Miss Hazel Myers, board chairman, says she has been informed by persons high in church circles.

Miss Myers explained religious leaders in Kansas feel the censors can be depended upon to keep the state's screens free from offensiveness and for that reason the current agitation within the state is to be moderate. Bishop Tief of the Catholic diocese

(Continued on page 6)

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DAILY

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◂ *Purely Personal* ▸

AL CHRISTIE starts production today at the Eastern Service Studios on "Bless You," first of Educational's new series of musical comedies.

ED KUYKENDALL, president of the M.P.T.O.A., plans to leave for his home town on Wednesday.

HAROLD RODNER is back from Saranac on an NVA mission.

IATSE Holds Coleman

COLUMBUS, July 15.—At the annual convention of the I.A.T.S.E., held here in conjunction with the convention of the Ohio Federation of Labor, Harry E. Coleman was re-elected executive secretary. The following were named to the executive board: Larry Buck, Columbus, chairman; Russell Sheats, Toledo; R. W. Mills, Springfield; Gene Lauri, Cincinnati; W. W. Hoffebert, Dayton; Charles Schumacher, Canton, and T. A. Caniff, Steubenville.

E. J. Tinney, Youngstown, was in charge of the session.

Willis M. Beale Dead

OMAHA, July 15.—Willis M. Beale, Warner booker, is dead here. He had been suffering from a throat ailment that had kept him from work two months. He is survived by his wife.

Insiders' Outlook

PARAMOUNT and Metro have two troublesome women on their hands. At Paramount, it's a gal named Mae West. At Metro, a more platinum blonde named Jean Harlow. Both producers are thinking hard what they can do about them in the light of the church movement. Take either one or both, if you like, and imagine La West or La Harlow in a sweet and virginal "Little Women" type of role. It would be funny. Their producers recognize in these two players the public's association with well-defined characterizations. They argue tickets are bought on that basis, but it's a basis which church forces no like. What to do about them is major and tough to solve. . . .

▼

Friendly pressure from several sources influenced Charles E. Richardson to reconsider that permanent appointment to one of three Paramount trusteeships. He got it, of course, the other day. Ran the arguments which weaned him away from withdrawal: "The reorganization is proceeding nicely now. If you step out and a stranger to what has been transpiring comes in, the consequent delay is apt to be unfortunate." Richardson stayed. . .

▼

Pessimistic note on an otherwise pleasant afternoon: The Cleveland ban on duals is rocky already. The boys there, nice and neighborly like, are sufficiently suspicious of each other to make trouble not so far removed. First reaction of the larger operators there was delight that duals had been massacred. The little fellows are throwing the squawks. Chief trouble: Trying to keep 90-odd exhibitors, especially Cleveland exhibitors, looking at the same problem through the same eyes. . .

▼

"Joan of Arc" may be made for next season by Radio with La Hepburn in the title spot, but again it may not be. One certain fact about it is that "The Little Minister" will be her first, not the dramatic story of the Maid of Orleans. RKO asserts quite positively church opinion, or fear of it, had nothing at all to do with the case. Thornton Wilder, author of "The Bridge of San Luis Rey," did one treatment. So did several others, each seeking escape from the stormy waters that swirl around the French and English, as well as varying historical points of view on the subject matter. The color splash in Radio's product book having to do with the picture has been blotted out and the space diverted to other matters. That may or not be the determining factor, but there you have it. . .

▼

Two pictures, made an ocean and a continent apart but dealing with the same central character, are directing the attention of producers toward a more careful sifting of story rights in the future. Along about the time Darryl Zanuck finished the new Colman, "Bulldog Drummond Strikes Back," in Hollywood, John Maxwell's British International had completed "The Return of Bulldog Drummond" in London. In this market where Colman's presence in any picture means something, the 20th Century attraction naturally would lead over the other. Yet release of the British picture at or about the same time, and perhaps day and date in competitive theatres, certainly would leave its mark. This is one reason why Mundus, new U. A. distributing subsidiary, made a deal for the British film with Lou Metzger. All of this is influencing producing circles to exercise additional care in the purchase of stories built around the same central hero. . .

▼

He was objecting to his parts. His studio figured it was time to turn disciplinarian and farmed him to a smaller producer. No one was particularly excited about the loan except the director who got this player. Came the time when the film was completed and out it went to become one of the biggest draws of the season; to create new fans for the player; to deluge his contract studio with requests for this thespian in more of the same type of roles. The player: Clark Gable. The disciplining studio: M-G-M. The lucky director: Frank Capra. The fortunate studio: Columbia. The attraction, and a real one: "It Happened One Night." . . .

▼

Are they smiling happily over at Universal? Last year, the Music Hall booked in four. This year, the new contract calls for 10. . . . Watch for interesting changes in the Greater New York film buy for next season. Upsets are on the way which won't make the situation between Loew's and RKO any friendlier. . . Walter Wanger, back from the Continent, found his trip interesting and worthwhile. He takes this word of advice to Hollywood and its producers: "Travel and see the world before boring it." . . .

KANN

Paramount Up ½ on Big Board

	High	Low	Close	Net Change	Sales
Consclidated Film Industries. pfd.	13½	13⅛	13½	.....	200
Eastman Kodak	99	98½	99	+ ⅞	300
Fox Film "A"	12⅝	12½	12⅝	+ ⅛	200
Loew's, Inc.	28	27¾	27	+ ½	500
Paramount, cts.	3⅝	3⅜	3⅝	+ ½	800
Pathe Exchange	2	2	2	.....	200
Warner Bros.	4⅞	4¾	4¾	.....	1,300

Technicolor Gains ⅛ on Curb

	High	Low	Close	Net Change	Sales
Technicolor	13⅜	13⅜	13⅜	+ ⅛	400

Trading Light in Bond Market

	High	Low	Close	Net Change	Sales
Pathe 7s '37 ww	99½	99½	99½	.....	4
Warner Bros. 6s '39 wd	53¾	53¼	53¼	— ¼	6

Cleveland Pleased By Week of Singles

(*Continued from page 1*)

attendance due to the shortened program, express satisfaction because of the varied program.

The only kicks reported from a neighborhood house were on the ground that the feature shown was not suitable to that particular neighborhood. In that case, the opinion was expressed, business could have been saved by playing another feature with it, provided it was suitable.

Fox's Counterclaims Overruled by Court

(*Continued from page 1*)

were allowed to prevail he would be in the position of a preferred creditor "to the detriment of other creditors."

The decision is a reversal of Supreme Court Justice Peter P. Smith, who allowed the first counterclaim to stand and sustains his ruling in dismissing two other claims.

Harry Sherman Resigns

Harry Sherman has resigned as president of Local 306, and Harland Holmden, third vice-president of the I.A.T.S.E., has been placed in charge.

Whether or not other officers of the local will hold their posts was not announced, and their future status could not be determined.

An election to pick a successor to Sherman is planned in the near future.

Cincy Strand to Singles

CINCINNATI, July 15.—The Strand, downtown independent, after three weeks of double featuring, has switched to single features, playing second runs for a full week. Prices of 15 cents for matinee and 15 and 20 cents evenings, recently set, remain the same.

Webb, Ray Are in Town

Harry Webb and Bernard B. Ray, producers of the Tom Tyler, Jack Perrin and Bud 'n' Ben series, are in New York for about a week on state right deals.

Blessed Event FOR SHOWMEN

It's cause for rejoicing when showmen get together and kick out dat ole debbil double bill. *Educational* steps up its production budget and the short subjects step out for finer entertainment all through the show.

Here's dog-gone good news for the exhibitors who are just going back to the ideal form of varied picture program . . . and for the wise ones who never left it . . .

ERNEST TRUEX

in

"Dog-gone Babies"

From the play "Love and Babies" *by* Herbert P. McCormack

Adapted by William Watson and Art Jarrett

Produced by Al Christie

Tom Patricola and **Buster West** will soon be on parade with **"Hi, Hi, Sailor"**; **Buster Keaton** with another to duplicate the bits he has made in **"The Gold Ghost"** and **"Allez Oop!"** and **Bing Crosby** singing the songs that made him famous in four short subject specials.

Educational Pictures
"THE SPICE OF THE PROGRAM"

Distributed in U. S. A. by
FOX Film Corporation

Various Para. Groups Near Understanding

(*Continued from page* 1)

cut up in huge slices and that, avoidance of disturbances in advancing plans for reorganization is to be desired from all angles."

Kuhn, Loeb & Co. now have assembled in rough form a wide array of statistics bearing on reorganization. In about 10 days, the expectation is their plan, seen principally through the eyes of the bondholders naturally, will be ready for discussion. In the meantime, the stockholders' interests, formidable in that over 3,000,000 shares of Paramount common are outstanding, are being developed through an analysis being carried forward by Coverdale and Colpitts.

No formal presentation of any plan is viewed as possible until various groups reach a basis of understanding. This is the foundation for the anticipation that representatives of bondholders and stockholders must somewhere along the line get together and mutually arrive at a basis of understanding.

It is held that considerable depends on how far apart the preliminary plans drawn up by each group prove to be. Skirmishing and jockeying for position are regarded as an inevitable development in negotiations leading to a rapprochement.

These negotiations are apt to spread over a period of several months.

Omaha Houses Gain In Spite of Heat

OMAHA, July 15.—Extreme heat failed to hurt business last week. All houses were at par or above, and the Brandeis reached $4,250, over normal by $450, on "Cockeyed Cavaliers" and "Let's Try Again."

The world was $700 up at $4,300 on "He Was Her Man" and "Call It Luck."

Total first run business was $23,250. Average is $21,250.

Estimated takings:

Week Ending July 11:

"SHOOT THE WORKS" (Para.)

PARAMOUNT—(2,900), 25c-40c, 8 days. Stage: Ann Ronnell. **Gross:** $7,700. (Average, $7,250)

"COCKEYED CAVALIERS" (Radio)
"LET'S TRY AGAIN" (Radio)

BRANDEIS—(1,500), 20c-25c-35c, 7 days. **Gross:** $4,250. (Average, $3,800)

Week Ending July 12:

"CATHERINE THE GREAT" (U. A.)
"PRIVATE SCANDAL" (Para.)

ORPHEUM—(3,000), 25c-35c-40c, 7 days. **Gross:** $7,000. (Average, $7,000)

"HE WAS HER MAN" (Warners)
"CALL IT LUCK" (Fox)

WORLD—(2,200), 25c-35c, 7 days. **Gross:** $4,300. (Average, $3,500)

Chicago Palace Slashes

CHICAGO, July 15.—RKO with last week's program slashed prices at the Palace. The old scale of 35c-50c-75c became 25c-35c-55c, the latter price including tax. There will be no change in policy.

St. Louis Boat Back

ST. LOUIS, July 15.—Showboat competition is in sight again this year. The Board of Public Service has again refused a permit for the boat to tie up at the foot of Pine St., but in previous years this has had no effect. Last year the boat operated in the Missouri River near the St. Charles, Mo., bridge. The year before it was at Musick's Ferry, both within convenient motoring distance.

127 Houses in 22 Cities Report $1,173,017 Gross

(*Continued from page* 1)

Washington reported gains. These points report a drop in the current compilation over the last: Denver, New York, Pittsburgh, Portland and Providence.

Comparative grosses for the latest available periods:

	Week Ending June 21-22		*Week Ending June 14-15*	
	No. Theatres	Gross	No. Theatres	Gross
Boston	6	$105,000	6	$98,000
Buffalo	6	39,900	5	33,400
Chicago	7	126,500	7	100,000
Cleveland	6	37,500	6	33,400
Denver	5	23,700	5	24,000
Detroit	4	54,500	4	50,800
Indianapolis	4	16,250	4	14,000
Kansas City	5	51,300	5	31,000
Los Angeles	8	72,192	8	72,016
Minneapolis	6	28,250	6	25,500
Montreal	5	39,000	4	32,000
New York	11	221,025	11	243,416
Oklahoma City	4	14,100	4	14,100
Omaha	4	27,050	4	23,800
Philadelphia	7	60,900	7	56,000
Pittsburgh	5	36,600	5	38,600
Portland	6	20,900	6	24,400
Providence	6	25,000	6	33,000
San Francisco	6	68,000	6	59,700
St. Paul	4	15,550	4	15,500
Seattle	6	26,900	6	26,800
Washington	6	62,900	6	62,000
	127	$1,173,017	125	$1,111,432

Comparative grosses compiled from day-to-day reports for 39 weeks show this:

Week Ending	*Theatres*	*Grosses*
September 29-30, 1933	135	$1,342,710
October 6-7	141	1,417,886
October 13-14	143	1,544,838
October 20-21	141	1,581,308
October 27-28	143	1,509,422
November 3-4	142	1,500.740
November 10-11	141	1,379,560
November 17-18	144	1,375,132
November 24-25	141	1,431,209
December 1-2	141	1,418,753
December 8-9	142	1,558,832
December 15-16	139	1,221,032
December 22-23	133	1,071,457
December 29-30	138	1,433,289
January 5-6, 1934	136	1,714,824
January 12-13	138	1,435,649
January 19-20	136	1,305,267
January 26-27	135	1,348,517
February 2-3	135	1,338,371
February 9-10	135	1,270,345
February 16-17	136	1,317,011
February 23-24	136	1,316,421
March 2-3	135	1,350,548
March 9-10	134	1,378,865
March 16-17	133	1,302,020
March 23-24	128	1,291,695
March 30-31	134	1,247,322
April 6-7	135	1,571,695
April 13-14	132	1,360,061
April 20-21	135	1,342,151
April 27-28	133	1,307,764
May 3-4	134	1,256,631
May 10-11	133	1,250,702
May 17-18	133	1,260,655
May 24-25	133	1,209,381
May 31-June 1	132	1,209,113
June 7-8	128	1,123,764
June 14-15	125	1,111,432
June 21-22	127	1,173.017

(*Copyright, 1934, Quigley Publications*)

"Boy," Show, With $19,000 Tops Chicago

CHICAGO, July 15.—"Laughing Boy" and a stage show with Ted Cook's band was the only program in the Loop to top average. It ran up to $19,000 at the Oriental, over par by $3,000.

Patronage slipped sharply elsewhere, due to weak programs. Local opinion is that the fair is failing to draw. Others say the theatres are feeling the effects of the church crusade.

Total first run business was $110,000. Average is $127,600.

Estimated takings:

Week Ending July 12:

"BABY TAKE A BOW" (Fox)

CHICAGO—(4,000), 35c-50c-68c, 7 days. Stage: Mitzi Mayfair, Tito Guizar, Fred Sanborn & Co., Lowe, Bernoff & Wensley. **Gross:** $34,000. (Average, $34,600)

"LAUGHING BOY" (M-G-M)

ORIENTAL—(3,940), 25c-40c, 7 days. Stage: Bowery Follies with Beef Trust Girls, Ted Cook band. **Gross:** $19,000. (Average, $15,000)

Week Ending July 10:

"OPERATOR 13" (M-G-M)

UNITED ARTISTS—(1,700), 30c-40c-60c, 7 days, 3rd week. **Gross:** $10,000. (Average, $17,000)

Week Ending July 12

"I GIVE MY LOVE" (Univ.)

PALACE—(2,509), 35c-50c-75c, 7 days. Stage: Billy House, Jack Whiting, Jeanie Lang, Maria Gambarelli. **Gross:** $18,000. (Average, $22,000)

Week Ending July 13:

"SHE LEARNED ABOUT SAILORS" (Fox)

MCVICKERS—(2,284), 30c-40c-60c, 7 days. **Gross:** $8,000. (Average, $13,000)

Week Ending July 12:

"SHOOT THE WORKS" (Para.)

ROOSEVELT—(1,591), 25c-35c-50c, 7 days, 2nd Loop week. **Gross:** $7,000. (Average, $11,000)

Week Ending July 14:

"SISTERS UNDER THE SKIN" (Col.)

STATE-LAKE—(2,776), 20c-25c-35c, 7 days. Stage: WLS Roundup. **Gross:** $13,500. (Average, $15,000)

Providence Slump Gains, Takes Fall

PROVIDENCE, July 15.—Business continued in its slump last week, with only one house going over par, the RKO Victory. "The Man from Utah" and "Chloe" made up the dual bill. The take was $1,150.

Heat in the early part of the week almost emptied the houses. Managers say the religious campaign is also a severe blow.

Total first run business was $18,850. average is $33,500.

Estimated takings for the week ending July 12:

"DR. MONICA" (F. N.)
"THE MERRY FRINKS" (F. N.)

MAJESTIC—(2,400), 15c-40c, 7 days. **Gross:** $4,000. (Average, $7,000)

"LAUGHING BOY" (M-G-M)

LOEW'S STATE—(3,800), 15c-40c, 7 days. Bill Robinson on stage. **Gross:** $7,100. (Average, $12,000)

"SHOOT THE WORKS" (Para.)
"MONEY MEANS NOTHING" (Monogram)

PARAMOUNT—(2,400), 15c-40c, 7 days. **Gross:** $3,500. (Average, $6,500)

"OF HUMAN BONDAGE" (Radio)
"I CAN'T ESCAPE" (Beacon)

RKO ALBEE—(2,300), 15c-40c, 4 days. **Gross:** $3,100. (Average, $7,000)

"THE MAN FROM UTAH" (Monogram)
"CHLOE" (Pinnacle)

RKO VICTORY—(1,600), 10c-25c, 4 days. **Gross:** $1,150. (Average, $1,000)

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UNIFORMITY

REVOLUTIONARY new qualities made Eastman Super-Sensitive "Pan" a byword almost overnight. But only day-in and day-out delivery of those qualities over a long period could give this film lasting fame in the motion-picture world. *Uniformity*... the quality that has always characterized Eastman films... has made Eastman Super-Sensitive Panchromatic Negative the brilliant leader it is today. Eastman Kodak Company. (J. E. Brulatour, Inc., Distributors, New York, Chicago, Hollywood.)

EASTMAN *Super-Sensitive*
Panchromatic Negative

Myers Calls Cancellation "Red Herring"

(Continued from page 1)

really afford relief from the forced showing of current salacious pictures he would have permitted the cancellation of all pictures condemned by the Legion of Decency or other identified group.

"The most that exhibitors will get out of the present plan will be an argument with the exchange managers which they are bound to lose, with possibly, an appeal to the producer-controlled grievance boards set up under the motion picture code."

The opening paragraph of the statement reads: "It was to be expected that Will Hays, having brought down upon the theatres a nationwide boycott by his failure to enforce the rules of production, would take some action designed to divert attention from the charges now being made against him without reforming in any important particular the policies and practices of his employers, the motion picture producers."

It continues: "As a matter of fact, the plan announced by Mr. Hays is merely temporary in character; it does not apply to pictures released later than three days after the date of the announcement; and its calculated vagueness casts the burden upon the exhibitors in many communities of organizing 'concerted objection' to a given picture in order to gain the cancellation privilege and then leaves it to the producer to determine whether there is sufficient opposition to justify the exercise of that privilege."

Saenger Offers Cut To 50 Days in N. O.

New Orleans, July 15.—Offer of Saenger Theatres to reduce its clearance to 50 days and a clearance plan submitted by major exchanges were the two principal developments of an open hearing held by the clearance and zoning board.

The major exchanges offered the following clearance based on time expiring after conclusion of first run engagements: Second run, 45 days; first subsequent run, 50 days; second subsequent run, 95 days; third subsequent run, 110 days; 10-cent houses and premium houses, 270 days. The board went into executive session to consider this, but reached no decision.

The board has included, besides New Orleans theatres, houses in Gretna, Westwego and similar suburbans in one zone, designated as A. This is done in order to clarify the premium menace which is being worked on.

Samuelson May Quit Jersey Leadership

(Continued from page 1)

Charnow, now vice-president, will be named.

Leaders of eastern units will meet again shortly, the date to be set by Walter B. Littlefield, who is in charge of the region. The session will be held the latter part of the month. All members of eastern units have been invited to attend the Jersey convention.

MOTION PICTURE DAILY'S HOLLYWOOD PREVIEW

"Their Big Moment"

(Radio)

Hollywood, July 15.—"Their Big Moment" will disappoint some who expect to see Slim Summerville and Zasu Pitts parade continuously through six reels of comedy situations. However, this is redeemed ten fold by clever and different treatment of interpolating melodrama and mystery with comedy. The formula, revolutionary as it might seem for this team, results in pleasing entertainment for any type of audience.

Starting out with a serious note, it drops to the ridiculous antics of William Gaxton, the great magician, employing Miss Pitts and Summerville as his assistants. Their actions backstage while playing big-time vaudeville are hilarious until they are inveigled into giving a demonstration of their tricks and psychic powers in the home of a wealthy widow desiring to receive a message from her late husband. Miss Pitts becomes a dumb seer who forgets her lines and by doing so uncovers a plot to kill the widow for her money. This makes the trio heroes instead of becoming exposed by conspirators as fakes. With such able players as Kay Johnson, Bruce Cabot, Ralph Morgan, Julie Haydon, Huntly Gordon and Tamara Geva, plus clever treatment, dialogue and direction, a pleasing bill of entertainment is made possible. Running time, 70 minutes.

"Happy Landings"

(Monogram)

Hollywood, July 15.—This is a thoroughly entertaining independent production timed for action and speed, suspense and romance, all centering around air pilots.

The story deals with Ray Walker and Hyram Hoover, as flying lieutenants, both in love with Jacqueline Wells, daughter of the commanding officer of their squadron. Through the medium of a gang of crooks, Walker is forced unwillingly to fly two bank robbers across the border. The remainder of the picture goes speedily from one episode to another following Walker's and Hoover's attempts at their capture and the final apprehension of the crooks, all including an automobile chase below the border and an airplane duel at sea. All ends favorably as Hoover steps aside for Walker in the favor of Miss Wells.

The cast contributes to the picture, including Walker, Hoover, Miss Wells, William Farnum, as the colonel, and Noah Beery, as Miss Wells' father. R. N. Bradbury directed.

It's a good independent program picture. Running time, 70 minutes.

Campi Orders Quick Action on Clearance

(Continued from page 1)

protests reached code boards July 2. It so happens July 1 fell on a Sunday and no mail was delivered.

After boards complete hearings on pending protests and schedules, they will adjourn until Nov. 1, unless called upon by Campi sooner.

On and after Nov. 1 protests and new schedules can be filed for the 1935-36 season.

Although New York was regarded as a possible storm center for protests on the present schedules, very few complaints were filed. A few changes were made as a result, but no new schedule is on record. Several changes were made in New Jersey. One New York case came up last week, but it was left for further consideration, and one Long Island case, Jose Seider against Loew's Valencia, comes up Wednesday.

Exchange centers and surrounding cities which have already sent in schedules are:

Miami, St. Petersburg, Cambridge and Wellesley, Mass.; Buffalo, Cleveland, Toledo, Texas, Denver, Littleton, Colo.; Detroit, Grand Rapids, Indianapolis, Louisville, Fort Wayne, New Castle, Ind.; Richmond, Ind.; Kansas City, St. Joseph, Wichita, Atchison, Kan.; Los Angeles, New Haven, Hartford, Bridgeport, Western Connecticut, Omaha, Portland, Ore.; Salt Lake City and Provo, Utah; Butte, Mont.; San Jose, St. Louis, Olympia, Everett, Wenatchee, Washington; Memphis.

This does not indicate the final list. Several cities have schedules filed before July 1, which have not been submitted.

Rosenblatt West Soon

Washington, July 15. — Division Administrator Sol A. Rosenblatt plans to leave on his second coast trip within the next two weeks. He was in Philadelphia over the week-end on another of the codes under his supervision.

Politicians in Now

Buffalo, July 15.—The Erie County Board of Supervisors has joined the "purge the movies" drive with approval of a resolution by Supervisor Harry J. Dixon, Democrat of Buffalo's second ward, expressing "resentment and distaste of present-day movies of a vulgar and lewd character."

Pa. Passes "Dr. Monica"

Pittsburgh, July 15.—The Pennsylvania censors have finally passed "Dr. Monica," eliminating only 90 seconds of running time, it is reported. However, they insisted upon a couple of other changes which have been made.

Foreign Film To Get Close Code Scrutiny

(Continued from page 1)

his opinion, story, treatment or dialogue do not conform to the tenets of the code, Hart will move for changes. He will also preview completed product and issue certificates and authorize the use of the agreed upon seal where product passes his inspection.

Where foreign pictures are concerned, it will obviously be difficult and, in many cases, impossible to change stories. However, editing and deletions will be enforced to make such pictures conform.

Liberties Union in Move on Film Drive

(Continued from page 1)

community to clear up any possible uncertainty as to the aims and purposes of their activities.

"To that end we believe these organizations using the boycott and publicity should state immediately and specifically whether or not they favor the present existing censorship of motion pictures in the several states where such censorship now exists by law.

"In the absence of any constructive contribution by these self-appointed organizations," the statement concludes, "we fear they are inevitably laying the foundation for a form of censorship either governmental or religious, not only of the movies, but of the stage, the radio, and books, magazines, and the press."

Censors So Severe, Kansas Clergy Calm

(Continued from page 1)

of Concordia already has issued a call for Legion of Decency pledges, while Bishop Johannes of the large Leavenworth diocese has announced he will shortly join in the campaign. There are estimated to be 120,000 Catholics in the state.

While the Kansas board is known as one of the most severe in the country, the present agitation has apparently had no effect on its decisions. The defenders of the state's morals have ordered numerous cuts and revisions.

Omaha Catholic Paper Printing Film Lists

Omaha, July 15.—*The True Voice*, publication of the Omaha Catholic diocese, is now making it a definite policy to print each week a list of objectionable and non-objectionable films as selected by the local standards committee. Besides advocating boycotting films until they are cleaned up the paper is even campaigning against a local daily for its policy of advocating clean films on the front page and carrying obscene advertising on films on its inside pages.

Indorsement of the Legion of Decency clean film drive is expected at the convention of the Walther League, which started here today, it was stated by Rev. Lawrence Acker, pastor of the First Lutheran Church.

'Circus Clown' Pulls $3,000 Denver Gross

DENVER, July 15.—About the only bright spot on the theatrical map last week was the Aladdin, which took $3,000, up by $500, on "The Circus Clown."

The Denver did a par $6,000 on "The Life of Vergie Winters," and "Smarty" and "Finishing School," a dual, had a good $2,250 at the Paramount.

Total first run business was $19,250. Average is $20,500.

Estimated takings for the week ending July 12:

"THE CIRCUS CLOWN" (F. N.)
ALADDIN—(1,500), 25c-35c-50c, 7 days. **Gross:** $3,000. (Average, $2,500)

"KISS AND MAKE UP" (Para.)
DENHAM — (1,500), 25c-40c, 6 days. **Gross:** $2,500. (Average $4,000)

"THE LIFE OF VERGIE WINTERS" (Radio)
DENBER—(2,500), 25c-35c-50c, 7 days. **Gross:** $6,000. (Average, $6,000)

"FOG OVER FRISCO" (F. N.)
ORPHEUM—(2,600), 25c-35c-50c, 7 days. **Gross:** $5,500. (Average, $6,000)

"SMARTY" (Warners)
"FINISHING SCHOOL" (Radio)
PARAMOUNT (2,000), 25c-40c, 7 days. **Gross:** $2,250. (Average, $2,000).

Grosses Off Badly In Montreal Spots

MONTREAL, July 15.—Grosses were away off last week with thousands going into the country. "Little Man, What Now?" and "The Merry Frinks" on a dual bill at the Capitol took $8,000, but this was $1,000 below normal.

The Princess reached a par $6,000 on "Sisters Under the Skin" and "The Hell Cat."

Total first run business was $34,500. Average is $43,000.

Estimated takings for the week ending July 7:

"LITTLE MAN, WHAT NOW?" (Univ.)
"THE MERRY FRINKS" (F. N.)
CAPITOL—(2,547), 25c-35c-40c-50c-60c, 7 days. **Gross:** $8,500. (Average, $9,000)

"SPRINGTIME FOR HENRY" (Fox)
"KEEP 'EM ROLLING" (Radio)
IMPERIAL—(1,914), 25c-40c-50c, 7 days. Vaudeville: Three Rhythm Queens; Sherman & McVey; Packard & Dodge; Wiora Stoney; Bert Fayle; George Downing; Lynn, Lewis & Hale; George Hunter. **Gross:** $5,500. (Average, $6,500)

"LAUGHING BOY" (M-G-M)
"HALF A SINNER" (Univ.)
LOEW'S—(3,115), 25c-35c-50c-65c, 7 days. **Gross:** $6,500. (Average, $10,500)

"WHEN SINNERS MEET" (Radio)
"WILD GOLD" (Fox)
PALACE — (2,600), 25c-35c-50c-60c-75c, 7 days. **Gross:** $8,000. (Average, $11,000)

"SISTERS UNDER THE SKIN" (Col.)
"THE HELL CAT" (Col.)
PRINCESS — (2,272), 25c-35c-50c-65c, 7 days. **Gross:** $6,000. (Average, $6,000)

Pickford to Buy Play

KANSAS CITY, July 15.—Passing through here on her way to take part in "Mary Pickford Day" at the World's Fair, Mary Pickford declared she planned to give the Broadway plays the once-over, choosing one for her next picture. She said she planned to continue her writing for *Good Housekeeping*, begun last month. She termed as "very indefinite" reports she is to close a deal for the publication of a series of articles on Hollywood.

Variety Club Chatter

Cincinnati

CINCINNATI, July 15.—The local club's first picnic will be held at Strickler's Grove, suburban, July 30. All proceeds are to go to the Film Board of Relief, according to NOAH SCHECTER, RALPH KINSLER and ELMER DRESSMAN, who comprise the picnic committee.

Barker BILL HASTINGS, skipper of the RKO Lyric, was absent but accounted for a couple of days last week. The heat got him, and he spent his enforced vacation in bed.

Col. ARTHUR FRUDENFELD is wearing that homesick look. The better half is visiting in California.

MANNY SHURE and JOE GOETZ have returned from a fortnight's vacation with new enthusiasm and an inexhaustable supply of tall fish stories.

Kansas City

KANSAS CITY, July 15.—Arrangements have been completed for the annual industry outing to be held July 16 at the Ivanhoe Country Club, states A. H. COLE, general chairman. The affair is sponsored by the Motion Picture Relief Fund and the Variety Club.

The program is the most elaborate ever staged here and attendance is expected to break all records. Golf will highlight the before noon "doings," and in the afternoon there will be a baseball game between exhibitors and exchangemen. Swimming, games and contests, a kangaroo court and impromptu entertainment will make the day a full one. The evening will be given over to dancing and entertainment.

At the club's monthly business meeting, the following general committee was announced: A. H. COLE, Paramount, chairman; C. A. SCHULTZ, Commonwealth Theatres; IRWIN DUBINSKY, Dubinsky Bros. Theatres; E. C. RHODEN, Fox Midwest Theatres; GEORGE CARRINGTON, Erpi.

Committees functioning for the day have been appointed by the Board of Trade as follows:

Refreshments—A. F. BAKER, chairman; R. R. BIECHELE, ED SHANBERG, BILL ALTHAUS, JOE MANFRE.

Games and Contests—HARRY TAYLOR, chairman; WILLIAM WARNER, DON DAVIS, GUS DIAMOND, FINTON JONES.

Golf—WILLIAM BENJAMIN, chairman: HARRY TAYLOR, HARRIS P. WOLFBERG, JAY MEANS.

Kangaroo Court—LELAND HAZARD, judge; EDGAR JONES, policeman.

Doctors—GEORGE KNAPPENBERGER, CLIFFORD L. GILLES.

Low and Order—WILLIAM WARNER.

Baseball—MARTIN FINKELSTEIN, J. A. LEWIS, CHARLES VAUGHAN, "DUSTY" RHODES, HARRY HAYS.

Entertainment—I. DUBINSKY, chairman; GEORGE BAKER, BARNEY JOFFEE, JACK GREGORY.

Publicity—LEO FINKELSTEIN, chairman; PAUL BAYZMAN, AL FINESTONE.

Concessions—LEO FINKELSTEIN, chairman; JIM STATES, JOHN MUCHMORE, PAUL LAROCHE.

Two girls from each office will be selected as hostesses to schedule games and contests. The regular Monday luncheon meeting will be dispensed with for the day.

New members recently receiving the "barker" degree are: LELAND HAZARD, I. T. O. attorney; DR. CLIFFORD L. GILLES, and MARTIN SCHIFF, Universal auditor.

Before leaving for the East, REV. R. W. GARDNER, club chaplain, was presented a silver card signifying he was made an associate life member of the local tent. COLE made the presentation, at a bon voyage party at the club. Another traveler is SAM ABEND, on the high seas Europe-bound.

Recent visitors have been BEN BLOTCKY, Paramount district manager, Minneapolis; JULIAN KING, Metro, Denver, and these Erpi men: J. L. REYNOLDS, New York; R. HILTON, Chicago, and A. A. WARD, Dallas.

Washington

WASHINGTON, July 15.—The local Variety Club formally took its place among the family of tents when National Chief Barker JOHN H. HARRIS, Pittsburgh, installed the officers.

Assisting in the installation was National Orator A. K. ROWSWELL, Pittsburgh.

The officers are: JOHN J. PAYETTE, chief barker; RUDOLPH BERGER, first assistant chief barker; J. LOUIS ROME, second assistant chief barker; HARRY HUNTER, propertyman; SAM A. GALANTY, wagonman; and CARTER T. BARRON, A. JULIAN BRYLAWSKI, CHARLES KRANZ, JOSEPH P. MORGAN, WILLIAM K. SAXTON, and SAMUEL N. WHEELER, canvassmen.

Following the induction into office, a reception and house warming was held in the club rooms in the Willard Hotel.

Entertainment was furnished by MARY BRIAN, GORDON and KING, the Radio Aces, and the Russian Revels. BENNY ROSS acted as master of ceremonies.

More than 80 barkers flocked to the weekly luncheon, with J. LOUIS ROME and EDWARD JACOBS acting as kings for the day.

DR. M. SAYLE TAYLOR, better known as radio's "The Voice of Experience," was guest of honor.

FRED M. HEIDER, one-time vaudeville dancer, was appointed as steward.

When the club meets Monday king for the day will be BRYLAWSKI and BERGER will present SOL. A. ROSENBLATT.

To Get More Hitler Film

Samuel Cummins, of Jewel Prod., left for London Saturday aboard the *Aquitania* to bring back scenes of the Berlin and Munich uprising against the Hitler government, claimed to have been taken on the spot by Cornelius Vanderbilt, Jr. The clips will be made part of "Hitler's Reign of Terror," which is now being shown in this country by Cummins.

Friedman in New Post

PITTSBURGH, July 15.—Max Friedman, chief booker for Warners here, has been promoted to the Albany zone where he will be in charge of buying as well as bookings. He has taken up his new duties.

Harry Feinstein, Warner short booker in the local office, gets Friedman's post. Feinstein's successor has not yet been named.

"Monica" Gets Good $30,000 At Boston Met

BOSTON, July 15.—With the vacation season getting into full swing, grosses fell off last week, but even so, "Dr. Monica," with a stage show at the Metropolitan, reached $30,000, up by $2,000.

"Of Human Bondage" was $2,000 over par at $18,000 at Keith's, and "Murder in the Vanities" had a good $17,500 at Loew's State.

Total first run business was $97,500. Average is $94,000.

Estimated takings for the week ending July 12:

"COCKEYED CAVALIERS" (Radio)
"LOVE CAPTIVE" (Univ.)
BOSTON—(2,900), 25c-50c, 7 days. **Gross:** $16,000. (Average, $16,000)

"RETURN OF THE TERROR" (F. N.)
"KISS AND MAKE UP" (Para.)
FENWAY (1,800), 30c-50c, 7 days. **Gross:** $8,000. (Average, $9,000)

"OF HUMAN BONDAGE" (Radio)
KEITH'S—(3,500), 30c-50c, 7 days. **Gross:** $18,000. (Average, $16,000)

"MURDER IN THE PRIVATE CAR" (M-G-M)
LOEW'S STATE (3,700), 35c-50c, 7 days. **Gross:** $17,500. (Average, $16,000)

"DR. MONICA" (Warners)
METROPOLITAN — (4,350), 30c-65c, 7 days. Black and White Jamboree. **Gross:** $30,000. (Average, $28,000)

"RETURN OF THE TERROR" (F. N.)
"KISS AND MAKE UP" (Para.)
PARAMOUNT (1,800), 30c-50c, 7 days. **Gross:** $8,000. (Average, $9,000)

"Scandal," "Nurse" Only Buffalo Draw

BUFFALO, July 15.—"Private Scandal" and "Registered Nurse" at the Century were the only films to do normal business. The take was $6,000. Heat toward the end of the week offset a big week-end draw on "Shoot the Works."

Total take was $31,100. Average is $34,800.

Estimated takings for the week ending July 13:

"THE CIRCUS CLOWN" (F. N.)
BUFFALO (3,500), 30c-55c, 7 days. Stage: Sid Gary; Wilbur Hall & Loretta Dennison; Allen & Kent; Vera Wilcox; Maxine Louise Kisor & Co.. **Gross:** $12,000. (Average, $14,300)

"PRIVATE SCANDAL" (Para.)
"REGISTERED NURSE" (Warners)
CENTURY—(3,000), 25c, 7 days. **Gross:** $6,000. Average, $6,000)

"SHOOT THE WORKS" (Para.)
HIPPODROME—(2,100), 25c-40c, 7 days. **Gross:** $7,100. Average, $8,000)

"LET'S BE RITZY" (Univ.)
"MURDER ON THE CAMPUS" (First Division)
LAFAYETTE — (3,300), 25c, 7 days. **Gross:** $6,000. (Average, $6,500.

Col. Pushing New Season's Production

HOLLYWOOD, July 15.—Clearing its decks of the last of the present season's product, Columbia is in the midst of activity on its production program for 1934-35.

"One Night of Love," the first for the new year, completed, the studio is now at work on "Broadway Bill," "The Girl Friend," "That's Gratitude," "Spring 3100," "Sure Fire," "$25 an Hour" "Eight Bells" and "The Depths Below."

"Girl in Danger," "Blind Date," "The Defense Rests," "Name the Woman" and "Beyond the Law" wind up the present season.

CAPITOL
MARION DAVIES & GARY COOPER
ROBT. W. CHAMBERS' "OPERATOR 13"
JANE FROMAN - WILL MAHONEY
Photographed by GEORGE FOLSEY
DUPONT NEGATIVE
Broadway Standouts
Photographed by LEON SHAMROY
Paramount
IN PERSON MAX BAER - BENNY RUBIN IN
STAR STAGE REVUE - CARY GRANT
GENEVIEVE TOBIN IN "KISS & MAKE UP"
IN PERSON MAX BAER
Photographed by BARNEY McGILL
BORN TO BE BAD
LORETTA YOUNG CARY GRANT
United Artists
RIVOLI
BORN TO BE BAD
CAPITOL
CLARK GABLE "MEN IN WHITE"
ABE LYMAN ELEANOR POWELL LEO CARRILLO
Photographed by GEORGE FOLSEY

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VOL. 36. NO. 13 NEW YORK, TUESDAY, JULY 17, 1934 TEN CENTS

Strike Closes All Houses in San Francisco

Loss in Receipts Will Be $50,000 Daily

San Francisco, July 16.—All local theatres were dark today in the general strike which holds this city in its grip when projectionists, musicians and stagehands joined the walkout. Closings are estimated at 200. Loss in receipts is expected to approximate $50,000 daily, with more than 3,000 employes affected.

It is understood no attempt will be made to operate theatres with non-union help, though the report has been confirmed that a private company plans opening the Tivoli, now dark, under protection. Managers are emphatic that no attempt will be made

(*Continued on page* 8)

Chicago Expecting Few Cancellations

Chicago, July 16.— Exchange managers here expect few cancellations on moral grounds as a result of the new privilege granted by major producers to enable exhibitors to avoid playing films against which there is an organized protest.

Some chiseling is predicted, but the feeling prevails that cancellations will be few on money-makers, even though objections are filed.

Para. Audit Shows $15,500,000 Cash

Paramount's cash position now stands at $15,500,000, it was revealed yesterday by audits recently completed for the trustees for the debtor corporation. Unofficial estimates recently placed the company's cash on hand anywhere from $10,000,000 to $15,000,000.

Allied Owners' Corp., one of the larger Paramount Publix creditors,

(*Continued on page* 8)

Kuykendall to Fight Non-Theatre Prizes

Unfair competition from non-theatrical as well as industry sources will be combatted by Campi's unfair trade practice committee, Ed Kuykendall, committee chairman, stated yesterday in appealing to exhibitors to report local instances of unfair trade practies of any description to his committee.

Kuykendall's statement points out

(*Continued on page* 4)

No Release Lapse Seen Due to Church Campaign

Laemmle Asks Avoidance of Idea Clean Films Won't Hit

Exhibitors can get by with clean pictures, but one of the troubles is theatre men take it for granted they cannot, declared Carl Laemmle in a statement issued yesterday. His remarks later are to appear in *Universal Weekly* as one of his series of "Straight-from-the-Shoulder" talks.

"Don't let the church drive get you down," warned Laemmle.

"Don't take it for granted that clean pictures won't get by.

"Universal in its long career has made 1,400 feature pictures which live up to today's strictest requirements for decency. We have slipped very seldom—and you made no more money when we slipped than when we didn't.

"By what seems a strange coincidence Universal was the company to receive the first 'seal of purity.' There was a time when this would have been harmful to any picture, but let's live in the conditions of today and quit talking about yesterday.

"It has become a custom in the pic-

(*Continued on page* 7)

No Hyams Deal

Deal whereby Paramount (British) would acquire the H. and G. Kinemas, operated in London suburbs by Phil Hyams and Major Gale, is reported off.

London, July 16. — Phil Hyams, back from the States, again denies a deal had been talked with Paramount and repeats what he said in New York that his trip was a vacation only.

Denver Houses Rebel Against Code Rulings

Denver, July 16.—Thirty-six of 40 houses in the metropolitan area here have signed a manifesto pledging not to recognize Campi or the local code boards "unless and until radical and fundamental changes are made," giving the complaining exhibitors local "self-government" in their affairs.

The rebellion against Campi and the local boards was brought to a head by a recent decision of the grievance board prohibiting bank nights, cash nights and country store nights

(*Continued on page* 4)

Pay Report May Be Issued This Week

Washington, July 16.—The much-heralded salary report may be made public before the end of the current week, it was said today by Division

(*Continued on page* 4)

Protestants' Pledges Out In Few Days

Clean film pledges in the form agreed upon last week by the Federal Council of Churches of Christ in America will go out next week, according to Rev. Dr. Worth M. Tippy. Bids for printing have been asked.

Dr. Tippy expects "many millions" of them to be circulated.

"The demand is spontaneous," he said. "Circulation of pledges among Protestant churches is already under way. It has been for the past two weeks among Presbyterians in Chica-

(*Continued on page* 7)

Cleveland Boycott Hits Neighborhoods

Cleveland, July 16.—The drive for better pictures has not, so far, hurt downtown theatres, but neighborhood houses, especially those located in

(*Continued on page* 7)

Six-Week Supply Ready Before Code Clamps Began July 15

With many releases for the next six weeks "in the house," previously approved under the production code prior to July 15, and production in Hollywood described as only "slightly subnormal" for this time of the year, major distributors yesterday were confident theatres faced no break in the flow of product because of the church campaign and studio precaution against material hitherto found objectionable.

It is pretty much of an open secret that some pictures under or over the finish line by last Saturday midnight when "teeth" in Production Code Administration began to bite harder and more diligently than before have been turned back to writers and directors for rewriting or re-shooting of certain

(*Continued on page* 7)

Production Slows Further on Coast

Hollywood, July 16.—Evidence that producers are continuing to slow down by carefully preparing new pictures to conform with demands of the reform movement is manifested in last week's survey of production. This check shows only 32 features and seven shorts in work as against 33 and 12 for the preceding week.

The same indication of care applies to number of pictures in the final

(*Continued on page* 7)

Say Omaha Closing Due to Film Drive

Omaha, July 16.—Church campaigning against objectionable pictures which has delayed release of the West picture, "Madame Du Barry" and "The Girl from Missouri" ("Born to Be Kissed") is given as the reason for decision to darken the Paramount Wednesday night. Summer doldrums may have something to do with it, but the house officially sticks to its story that it is a dearth of topnotch attractions which precipitated the move.

This will mark the first time the house, Omaha's elite theatre, will close since its opening in 1927. Thirty people will be added to unemployment ranks. Manager Davidson stays one week beyond the shutdown to clean up detail.

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Scout Serial Deal Set

George Stout and Ben Cohen of Romance Prod., Inc., are here from Hollywood for conferences with Harry Thomas, head of First Division, on distribution of "Young Eagles," a Boy Scout serial recently completed by Romance. First Division will handle the picture in 60 per cent of the territory and state righters in the remainder, it was stated. Stout and Cohen return to the coast by automobile this week.

Latin Writers to Dine

The Paramount International Corp. will be host to New York correspondents for Latin-American publications at a luncheon today at Sardi's. Among those present will be George Weltner and Albert Deane of Paramount International, Jack Alicoate of *Film Daily*, Red Kann of Motion Picture Daily, Wolfe Kaufman of *Variety* and J. P. McKnight of the Associated Press.

Hicks Sailing Tomorrow

John W. Hicks, Jr., vice-president of Paramount International Corp., tomorrow leaves for London aboard the *Manhattan* on his semi-annual inspection tour of England and the Continent. He will be away about two months.

Dietz on the Mend

Howard Dietz, director of advertising and publicity for M-G-M, is recovering from an attack of arthritis and removal of his tonsils at Doctors' Hospital. He expects to be discharged this week.

Three Majors To Keep Dual Ban in Pacts

Clauses in Warner, M-G-M and Paramount contracts banning double featuring of the product of those companies have been retained in the new season contract forms, but will not be enforced in areas where there is no opposition to the dual policy, it was learned yesterday.

In Chicago, Cleveland and other centers where anti-dual feeling is strong, the clauses will be rigidly enforced. So far as could be learned the contracts of these three companies are the only ones containing anti-double featuring provisions. The clauses are carryovers from other seasons, having been included in the companies' contracts for several seasons past.

Trem Carr Improved

Hollywood, July 16.—Condition of Trem Carr, who has been confined to the Cedars of Lebanon Hospital for a month following a major operation, is so improved he will be able to leave the hospital this week.

Hans Schwartz, Fox director, underwent an operation for appendicitis at the Cedars of Lebanon Hospital. Dr. Maurice Kahn performed the operation.

Canal Film on Tap

Hollywood, July 16.—Warners are making elaborate plans for early filming of a yarn dealing with the building of the Panama Canal. The two major characterizations will be Maj. Gen. George W. Goethals, the engineer, and Dr. William C. Gorgas. Paul Muni is tentatively lined up for one of the roles.

Not Bankrupt—Keaton

Paris, July 16.—That he was bankrupt was denied here today by Buster Keaton. He termed the report that a petition in bankruptcy had been filed in his behalf in Los Angeles as a "complete surprise." He said he had given his attorney no authority to take such action.

Newsreel Plan Out

By BRUCE ALLAN

London, July 16. — The newsreel idea, officially sponsored by the Cinematograph Exhibitors' Ass'n, has been stepped on by the general purposes committee of the organization.

Await French Moves Under Herriot Rule

Developments in the new French film structure with the appointment of Edouard Herriot, former premier and now minister without portfolio as the head of the new commission in charge of the government's relations with the film industry, are being awaited with curiosity at the Hays office.

"This is an entirely new departure," said Major Frederick L. Herron, in charge of foreign relations at the Hays office, "and it will be a short while yet before we will be able to tell just what affect the new move will have on American interests in France.

"Premier Herriot," he continued, "is supposed to be decidedly pro-American, but it was during his regime that most of the penalties were imposed on American products entering France."

Fields-Leroy Again

Hollywood, July 16.—Paramount is renewing the W. C. Fields-Baby Leroy team in "The Old Spinning Wheel." Paul Gerard Smith is now working on the adaptation. The youngster has also been spotted in the Damon Runyon yarn, "The Lemon Drop Kid."

Buzzell Marries Aug. 10

Hollywood, July 16.—Eddie Buzzell's marriage to Sarah Clark is set for Aug. 10. The couple will honeymoon in Honolulu.

Jack Cohn Is Back

Jack Cohn, Columbia vice-president, gets into town from the coast this morning. Nate Spingold is with him.

Mascot Starts Tomorrow

Hollywood, July 16.—The starting date on Mascot's "Crimson Romance" has been set for Wednesday. Dave Howard will direct.

All Issues on Big Board Down

	High	Low	Close	Net Change	Sales
Columbia Pictures, vtc	27⅜	27⅜	27⅜	— ⅝	100
Consolidated Film Industries, pfd	13⅛	13	13	— ½	100
Eastman Kodak	99	97⅜	97⅜	—1⅝	800
Fox Film "A"	12¼	11½	11⅝	—1	400
Loew's, Inc.	27⅝	26⅜	26⅜	—1⅝	1,300
Paramount Publix, cts	3½	3⅜	3⅜	— ¼	700
Pathe Exchange "A"	19⅜	19¼	19⅜	— ¼	200
RKO	2⅛	2	2	— ⅛	100
Warner Bros.	4⅞	4⅝	4⅝	— ⅛	1,400

Technicolor Gains ⅛ on Curb

	High	Low	Close	Net Change	Sales
Technicolor	13½	13⅛	13½	+ ⅛	800

Paramount Publix Bonds Off ¾

	High	Low	Close	Net Change	Sales
General Theatre Equipment 6s '40	7	7	7	— ⅛	2
Keith B. F. 6s '46	67¼	67¼	67¼	.....	1
Loew's 6s '41, ww deb rights	100¾	100¾	100¾	— ¼	1
Paramount Broadway 5½s '51	40½	40	40½	+ ½	3
Paramount Publix 5½s '50	47¾	47	47	— ¾	2
Pathe 7s '37, ww	99¾	99¾	99¾	+ ¼	2
Warner Bros. 6s '39, wd	53½	53¼	53½	— ¼	3

Purely Personal

Frank C. Walker, Eddie Dowling and Colvin Brown combined for lunch at the Tavern yesterday. Another threesome was Maury Cohen of Invincible, George Batcheller of Chesterfield and Ralph Poucher of Consolidated. Among others, as well, were Harry Arthur, King Charney, Bill German.

Joe Weil, now abroad with Carl Laemmle, postcards from Wien, Vienna to you: "All well on the western front. Vienna film people gave C. L. a fine reception on his arrival. Feeling fit, but miss the handball and riding." Handball and riding refer to Weil, of course, not Laemmle.

Gloria Hatrick, daughter of Edgar B. Hatrick, general manager of the William Randolph Hearst film interests, is winner of a society girl beauty contest, held at the Westchester Country club the other day.

A. H. Van Buren is putting the finishing touches on the script of "The Voice Within" with A. W. Pezet and expects to get started directing within a week. It will be produced for Franklin and Stoner in New York.

Charles L. Clifford's "Soldier Woman" has been purchased by Paramount for Carole Lombard. She will also do Damon Runyon's "Maybe a Queen."

Robert Donat, young English stage and screen star who just finished work in "The Count of Monte Cristo," arrived in town yesterday. He sails for England, Saturday.

"Peg" Mahoney, secretary to Jack McInerney at the Paramount Theatre, is back from a two weeks' vacation in Miami.

Al Adams, of U. A., for the first time in his life broke 100. He shot a 97 over the week-end at Grassy Sprain in Westchester.

Ruby Keeler expects to leave for the coast next Monday to begin work in "Flirtation Walk" for Warners.

Howard J. Green, Paramount writer, will have a play, "Happy Ending," produced on Broadway this fall.

Charles R. Rogers arrived from the coast yesterday via the canal and went to Boston for a couple of days.

Mike Beck has returned after a six-week vacation trip in South America. That haircut he sports is a corker.

William Gluck has been named sales manager for the Amusement Supply Co.

B. B. de Colmont, French screen writer, arrives today on the *Paris*.

Starr, "U" Producer

Hollywood, July 16.—Irving Starr, formerly associated with Reliance, has been engaged by Universal to act as associate producer for the series of six Buck Jones features, first of which will be "Rocky Rhodes."

Universal is rounding up a pretentious cast for its next musical, "Wake Up and Dream." So far it contains Russ Columbo, June Knight, Roger Pryor, Matt McHugh, Spencer Charters, Philip Dakin, Constance Kent, Eddie Prinz, Andy Devine and Henry Armetta. Kurt Neumann is directing.

Announcing. . . for 1934-1935

A MERGER

of two of the biggest amusement enterprises in America—

WARNER BROS.

and

RUDY VALLEE

Denver Houses Rebel Against Code Rulings

(*Continued from page 1*)

while it dismissed a complaint against Harry Huffman, circuit operator, based on a weekly automobile giveaway at one of his theatres.

The complaint against Huffman was dismissed for lack of evidence. A ticket used in the drawing was the only evidence submitted, and, while the methods used in the giveaway stunt are common knowledge in Denver, none of the complainants at the hearing would testify.

Local exhibitors claim the grievance board has no jurisdiction under the code to pass on giveaways and lotteries until 75 per cent of affiliated and unaffiliated exhibitors agree in writing that the practices should be stopped.

The manifesto signed by the 36 exhibitors was addressed to Code Authority at New York. Its text follows:

"We the undersigned, being the managers, owners and operators of 80 per cent of the theatres in the metropolitan area of Denver, hereby serve notice upon you, and upon your so-called local grievance board in this territory, that we shall no longer recognize you or your grievance board, unless and until radical and fundamental changes are made whereby the empty promises given us to the effect that our affairs would be a matter of local self-government are in some measure complied with.

"To Continue as We See Fit"

"As American citizens, we are not dependent upon you or upon any of your so-called boards or bureaus for our right to carry on our business, and we intend to continue as we see fit, without any further oppression, intermeddling or dictation.

"We are weary of having the so-called code of fair competition used as a mere weapon of discrimination, scheming and oppression, undertaking to impose upon us views and policies of others who have invested no money, taken no risks and rendered no services in our respective private businesses.

"Some of us are at present aggrieved by a ridiculous ruling of your so-called grievance board in flat contradiction to the terms and intentions of the code.

"We denounce such travesties of justice as that involved in the so-called hearing here of July 9, 1934.

"The travesty of justice which allows a board to attempt to permit or forbid certain practices in the absence of a vote of exhibitors passing upon such methods, is suggestive of the methods of the OGPU in Russia, but is repulsive to every principle of American justice and fair dealing. The rules attempted to be laid down in the code and in your instructions and regulations to local boards were wholly flouted and ignored.

"Other meddlesome and oppressive practices and usurpations, purporting to be made under code authority, have convinced us that we should stand upon our rights as citizens engaged in lawful business, and shake off all un-American, arbitrary and ridiciulous dictation.

"Those of us who have signed the code in question are not changing our status, one way or another, by signing this statement and warning to you.

"Those of us who have not signed the code, wish it distinctly understood that, by giving you this warning and ultimatum, we are in no sense recognizing you, or the NRA, or any local board, or the so-called code of fair competition for the motion picture industry, as having any authority whatsoever over us in any manner or form, but are giving you this notice so that, if you shall see fit to bring your local activities and those of your local grievance board into line with reason, fair dealing and sound principles, we shall then consider what measure of recognition or participation we are at liberty to give you.

"Unless and until that is done, we shall henceforth refuse to submit in any way, either as complainants, defendants, witnesses or otherwise, to the arbitrary, officious and unauthorized dictation or intermeddling of any local board in this area."

The manifesto was signed by the Navajo, Rialto at Brighton, Associated Theatres, Inc., Isis, Granada, Egyptian, Oriental, Amusement Enterprises, Inc., Alpine, Mission, Washington Park, Gothic, Grand at Littleton, Majestic, Mayan, State, Santa Fe, Jewel, Zaza, Victory, Capitol, Rivoli, Gem, Plaza, Palace, Comet, Rex, Gem at Golden, Denver, Paramount, Orpheum, Aladdin, Tabor, Rialto, Bluebird, Bideawee, and the Arvada at Arvada.

No copy of the Denver exhibitors' manifesto has been received by Code Authority nor has that body received any official notification of the action taken in Denver, John C. Flinn, executive secretary, said yesterday.

"Knits to You!"

Hollywood, July 16.—When Mary Boland knits, she knits; and it can't be called by any other name.

A Paramount guide showing a visitor through the studio reached the "Pursuit to Happiness" set and pointed out Miss Boland busy on a sweater between scenes.

"She crochets, too," whispered the guide.

"Knits to you," explained Miss Boland.

Kuykendall to Fight Non-Theatre Prizes

(*Continued from page 1*)

that while the code restricts exhibitors from conducting lotteries and imposes other limitations of a similar nature, lotteries and prize drawings are being given by tent shows and carnivals, baseball parks give away automobiles and free performances are staged in public parks and halls. All of these enterprises, Kuykendall points out, are direct competition for theatres in most instances but can be stopped, he said, if exhibitors cooperate with the Campi committee by reporting them promptly.

Bank Nights Ruled Out in Los Angeles

Los Angeles, July 16.—Bank nights have been ruled out here by the grievance board. The complaint was brought by the Mission Amusement Co. against the Ventura Theatre and Rennie Theatre, San Fernando. The board's order is effective in seven days.

Protests scheduled for tomorrow involve theatres in Oxnard, Garfield, Long Beach, Alhambra, Brentwood, Coronado, Yosemite and Los Angeles.

Honor Pizor at Dinner

Philadelphia, July 16.—Two hundred film men joined tonight to honor Lewen Pizor, retiring president of the M.P.T.O. of Eastern Pennsylvania, Southern New Jersey and Delaware, at a Bellevue-Stratford dinner. Louis Nizer was master of ceremonies and Ed Kuykendall, president of the national M.P.T.O.A., was in attendance.

Barck 10-Cent Case Going Up to Campi

Cleveland, July 16.—Campi is to be asked to decide the demand of S. H. Barck, Market Square Theatre, that he be allowed to show films at 10 cents on the ground that he is last run in his zone and follows houses charging 20 cents and 15 cents. Barck claims he cannot perform his 15-cent contracts without going out of business.

The complaint was directed against all houses charging 15 cents which have protested his 10-cent policy and also all distributors. Barck wanted this opposition declared an unfair trade practice. He cited in his complaint that 10-cent scales are allowed outside of Cleveland.

Screeno Complaints Upheld in Chicago

Chicago, July 16.—A dozen compaints against theatres using the game Screeno have been upheld by the local grievance board which had previously branded the stunt as a lottery. The inventor has indicated he will take the matter up with Code Authority. He contends that Screeno is a game of skill and not of chance.

Screeno is the old game variously known under the name of Lotto, Keeno, Corno, Bunko, etc. In theatres patrons are given a card to punch while numbers are flashed on a dial faced clock operated from the projection room.

Claim Chicago Rule Favoring Giveaways

Chicago, July 16.—According to Ed Brunnell, one of the leaders of the Independent Theatre Owners' Ass'n, a ruling has been obtained from the corporation counsel's office, saying giveaways to all patrons of a theatre are not in violation of the city ordinances.

Brunnell retained Charles Bellows, former assistant state attorney, to handle the matter in behalf of his membership. Bellows reports that Lieut. Harry Costello has agreed not to interfere with giveaways where all men and women entering theatres are recipients of giveaways of equal value.

Pay Report May Be Issued This Week

(*Continued from page 1*)

Administrator Sol A. Rosenblatt. With the report will be a digest, setting forth concisely the pertinent facts developed by the long investigation. What recommendations will be made as a result of the study has not been divulged.

N. O. Clearances Set

New Orleans, July 16.—The clearance and zoning board has adopted the following clearances: First runs, 50 days; second runs in commercial area, 35 days for A houses, 80 days for B houses; first subsequent runs, 30 days; second subsequent runs, 21 days; third subsequent runs, 15 days; 10-cent houses, 320 days after first run.

Miller on Appeals

Buffalo, July 16.—Dave Miller, manager of the Buffalo Universal exchange, president of the Buffalo Film Board of Trade and chief barker of Variety Club, has been appointed to the Campi appeals board.

Appeals Body To Hear Only Specific Cases

Washington, July 16.—Complaints of a general nature against the film and other codes will receive no consideration from the Industrial Appeals Board of the National Recovery Administration, which begins operations August 1, it was indicated today.

With appointment of Mgr. John Augustine Ryan, professor of social ethics at the Catholic University, Washington, the personnel of the board, which succeeds the National Recovery Review Board headed by Clarence Darrow, has been completed. The other members of the board will be Amos J. Peaslee, former chief of the NRA Compliance Division, who will serve as chairman, and John S. Clement, president of a Philadelphia floor covering concern.

The new group will receive from administrative officials such complaints against the NRA as they cannot themselves correct. Likewise, should any action of a code authority be alleged to bear unjustly upon a business organization, failing redress by the code authority, the matter will be taken up with the deputy administrator in charge to be forwarded to the board.

It was stressed that the board will have no direct connection with industry, but its appellate character will follow within the administrative setup of the administration, thus in a sense combining quasi-judicial processes, such as those of the Federal Trade Commission, with those of the recently abolished National Compliance Board.

In cases of complaints by small businesses the new board may recommend the granting of relief by exemptions, exceptions or modifications of codes.

Committee to Study Operator Salaries

Washington, July 16.—Withdrawal of Donald K. Wallace and Daniel Bertrand of the Research and Planning Division of the National Recovery Administration from their investigation of operators' and stagehands' pay in New York, because of the length of time which promises to be required for the study, and appointment of a special committee to carry on the work was announced today by Division Administrator Sol A. Rosenblatt.

The committee, of which L. E. Thompson of RKO will be chairman, will consist of Charles Moscowitz, of Loew's, Charles L. O'Reilly, Harry Brandt, George Brown, president of the I. A. T. S. E., and Joseph Blatt of the Empire State Operators' Union.

The services of any member of the NRA will be at the disposal of the committee, if required, Rosenblatt said.

Capital Zoning Settled

Washington, July 16.—Clearance and zoning for the coming season were settled by the local board at its final session today.

Wallace BEERY Jackie COOPER in TREASURE ISLAND

WITH Lionel BARRYMORE

OTTO KRUGER LEWIS STONE "CHIC" SALE

Two million copies of Robert Louis Stevenson's beloved classic have quickened the heart-beat of men, women and children through the years. A vast audience awaits Wallace Beery, Jackie Cooper invoking again the tear-dimmed sentiment of their previous triumph in "The Champ." Clear the decks for a mighty entertainment!

From the immortal adventure romance by

ROBERT
LOUIS
STEVENSON

Whose "Dr. Jekyll and Mr. Hyde" is long remembered by film audiences

Directed by
VICTOR FLEMING
Produced by
HUNT STROMBERG

A Metro-Goldwyn-Mayer Pictu

No Shortage Seen Due to Film Drives

(Continued from page 1)

sequences. Outstanding has been the Mae West picture. In second place, probably, was "Madame Du Barry," which Warners now anticipate releasing in a few weeks. Third was the Harlow picture, "Born to Be Kissed," which has been retitled "The Girl from Missouri."

Prior to the deadline, however, there was a group of pictures which had passed through the milder production code formula, and, therefore, are now ready for the market.

Most companies declare themselves set until the end of August.

By that time, pictures now in work are expected to be ready. With production continuous thereafter, the unanimous opinion was pictures will reach theatres as scheduled. Not admitted, but understood a fact, nevertheless, is a shift in attractions because of setbacks made necessary by more strict conformance to the code which is in effect in all major studios and with all major companies.

As an indication of how the majors stand on product availabilities is the following data, supplied by them yesterday:

Columbia

This company has "The Defense Rests," "Whom the Gods Destroy," and "Black Moon" ready. In some spots, the pictures are now running. "Black Moon," for instance, has played the Rialto, New York, while "Whom the Gods Destroy" is current at the Music Hall.

Ready as its opener for the new season is "One Night of Love," starring Grace Moore. These pictures have been approved under the old code machinery.

"Name the Woman," "Girl in Danger," "Beyond the Law," and "Blind Date" are either cutting or in the "lab." They have yet to get their code endorsement.

Columbia says it is set until the middle of August.

Metro-Goldwyn-Mayer

According to Felix F. Feist, general sales manager, M-G-M is in the clear until August 31 with "Paris Interlude," "Student Tour," "Treasure Island," "Four Walls," which will be retitled "The Street Called Straight," and "Chained." The latter is in production. Feist says changes, if any, to meet code requirements can and will be made as the picture is shooting.

Paramount

"The Old-Fashioned Way" and "Elmer and Elsie" virtually round out this company's 1933-34 program. Its officials state "Ladies Should Listen," "She Loves Me Not," "The Scarlet Empress," "You Belong to Me"—all 1934-35 releases—are finished and awaiting release. The West picture, of course, is not.

Radio

Current releases at Radio include "Of Human Bondage," "The Life of Vergie Winters," "We're Rich Again,"

(Continued on page 8)

Laemmle Asks Avoidance of Idea Clean Films Won't Hit

(Continued from page 1)

ture industry to blame the success of off-color pictures on the public—and, of course, that's where the blame really lies. The public has always grabbed more quickly at suggestive books, suggestive plays and suggestive pictures than it has at the other kind.

"But let's be alert enough to change with the times.

"Let's use just a little more brain power and put as much entertainment into perfectly clean pictures as we ever tried to put into the questionable ones—and when I say 'questionable,' I mean questioned by even a small part of the general public.

"The picture business is not going to the dogs just because there is a drive against its worst part. Maybe the drive is a good thing. Maybe it will awaken all of us to responsibilities which we never realized were ours.

"Let's not become fanatic about it. Let's adjust ourselves to today's conditions and give the public the kind of fare it can consume without moral indigestion.

"Let's get back of this class of product with all the vim and vitality and guts that made the picture business a factor in the world's entertainment program.

"We'll all be happier for it. We'll feel cleaner. And, last but not least, we'll be building on a more solid foundation than we ever had before.

"The church as a whole is very decent. It has its fanatics and its nuts, but so have we.

"Let's show the right thinking element of the church that we are as decent at heart as they are—and in doing it, let's prove that we never have to descend to the gutter to find profitable material."

Production Slows Further on Coast

(Continued from page 1)

stages of preparation. In this division there are but 20 features and eight shorts scheduled to start within the fortnight. There are 41 features and 15 shorts in the cutting rooms.

Warners head the list with seven features in work, one preparing and six editing; Fox has four, three and four; Universal, four, one and three; M-G-M, three, four and 13; Paramount, three, three and one; Goldwyn, two, zero and zero; Columbia, two, three and five; Radio, two, one and two, while the independents have a total of five, four and seven.

In the short subject division M-G-M has two in work, two preparing and three editing; Universal, zero, zero and two; Columbia, one, one and three; Radio, one, two and two, while the independents have three, three and five.

Aim Not to Destroy Films, Says Editor

Discussing the Catholic drive for clean films in *The Brooklyn Tablet,* a religious weekly, Patrick F. Scanlan, managing editor, says: "We have no desire to destroy the motion picture business."

In a front page editorial he goes on: "For five years we have weekly printed a review of the better pictures. We believe pictures have splendid educational and recreational possibilities and that, largely, these possibilities have been realized. But the evil character of many pictures and the low standards of parts of others have had a demoralizing effect on the people, an effect which is generally recognized by nearly everyone.

"We are not hostile to the entertainment business; we are not prohibitionists; we are not prudes; we are not asking a national censorship of films; we are not demanding the impossible. What we ask is wholesomeness instead of vulgarity and worse. We believe the subject matter and the possibilities of good entertainment are limitless. We are not demanding 'goody-goody,' Pollyanna, crimeless or sexless pictures. Sex is a good and honorable word, but many writers and producers have sought to make it a bad word. They have associated only sin with it. We are attacking indecency and vileness and the better producers know what we mean. We believe that in insisting upon ethics—which every good business has in its program—we are doing a service not only for morality and civic progress but for legitimate business."

Washington's Synod Joins Film Attacks

SEATTLE, July 16.—Block booking and "obscene" films came in for censure at the closing session of the Presbyterian Synod. The following resolution was adopted:

"The motion picture industry is under the control of men who spurn and ignore purpose of the church and the moral welfare of American citizens. Its predominant if not sole motive is gain and not the providing of constructive amusements for the enjoyment and inspiration of the people.

"It has given itself in a most flagrant manner to the stimulation and exploitation of the baser instincts of men, thus becoming a demoralizing influence especially harmfuld to childhood and youth.

"Therefore, we, the Synod of Washington, do hereby and now put ourselves on record as strongly opposed to the movie industry as it now is, denouncing as viciously arbitrary and harmful the practice of 'block booking' and pledge ourselves to cooperate with other agencies of similar mind and purpose, namely, the cleansing of the industry of obscene and evil exhibitions, and strongly urge the people of our congregations not to patronize the movies until such time when the industry guarantees to furnish a class of plays that will not bring the blush of shame to the cheeks of pure-minded men and women."

Rabbi Goldstein Says Jews Will Help Drive

Rabbi Sidney E. Goldstein, as the representative of the Central Conference of American Rabbis, has pledged the cooperation of Jewish groups with the Catholic and Protestant campaign for improved pictures.

His formal statement added that Jewish groups would work for the establishment of a permanent committee, on which the clergy and the public would be represented with the producers, to take over the moral supervision of the films now performed by the Hays office.

Protestants' Pledges Out In Few Days

(Continued from page 1)

go, and among councils of churches in Rochester and other cities. In Chicago alone 100,000 pledges have been circulated.

"We prefer to have churches circulate their own pledges and have them printed locally, but we have many requests for bulk allotments. We will charge enough for these to cover the expense of printing and shipment."

No further meetings are scheduled under the auspices of the Federal Council, Dr. Tippy said.

Cleveland Boycott Hits Neighborhoods

(Continued from page 1)

the Catholic parishes, are suffering greatly.

A. E. Ptak, owner of the Lyceum, which plays to a 60 per cent Catholic audience, reports that the bottom has dropped out of business since the drive got under way. Not only do his former patrons stay away from pictures not approved by the church, but they are boycotting the theatre entirely, presumably because some of the pictures he shows are not on the approved list. They are not supporting the "approved" pictures.

Wisconsin Clergymen Join in Film Moves

MILWAUKEE, July 16.—Rev. John Frederick Fedders, pastor of Lake Park Lutheran church and a leader in local and national church circles, has urged Lutheran young people to join the crusade of the churches for clean films.

He declared that the crusade of the Legion of Decency is "a belated campaign which ought to have been undertaken years ago with churches, women's clubs and young people's organizations co-operating."

Bishop J. Ralph Magee, in charge of the St. Paul area of the Methodist church, which embraces four states, including Wisconsin, is preparing to order his district superintendents to take an active part in the campaign.

Dr. Robert B. Stansell, superintendent of the Milwaukee district, made this statement following a cabinet conference with Bishop Magee at Fond du Lac, Wis.

Philadelphia Unions Ask Boycott Change

PHILADELPHIA, July 16.—A demand that the church boycott in this territory be modified has been made by the Musicians' Protective Ass'n., Local 77, and the Central Labor Union of Philadelphia.

The association asks that "only objectionable pictures be boycotted, and not theatres," adding that "the boycotting of the theatres has the effect of throwing people out of work by closing them." The other labor group demands that the boycott be confined to "the restricting of lewd and repulsive pictures."

No Shortage Seen Due to Film Drives

(Continued from page 7)

"Cock-Eyed Cavaliers," and "His Greatest Gamble." "Hat, Coat and Glove" and "Down to Their Last Yacht" are editing.

An RKO official believes no difficulty is in view with the latter two under the code, aside from perhaps minor changes. "Adventure Girl," a Van Beuren feature with Joan Lowell, is ready.

Now shooting and expected for August delivery are "The Fountain," "The Age of Innocence," and "The Gay Divorce," for which a new title is sought. These pictures have to pass through the code formula before reaching distribution.

United Artists

Al Lichtman says his company is set to September with "Bulldog Drummond Strikes Back," "The Affairs of Cellini," "The Last Gentleman," "The Count of Monte Cristo," and "Our Daily Bread." In additioin, two English pictures are ready. These are "Queen's Affairs," and "Nell Gwyn." Neither has been submitted for code inspection as yet.

Universal

"One More River," "Romance in the Rain," and "The Human Side" will finish Universal's current schedule, aside from "Imitation of Life," which is now in work. Practically ready is "There's Always Tomorrow," which is one of next year's. The first three are set for August release. They have not been submitted for code inspection as yet, so far as New York executives knew yesterday. No difficulty, however, is expected.

Warners

The following pictures are in New York awaiting their release dates, according to a Warner spokesman:

"Side Streets," "Midnight Alibi," "Here Comes the Navy," "Friend of Mr. Sweeney," "Man With Two Faces," "Housewife."

In the offing are "Dames," "Dragon Murder Case," "British Agent," "Madame Du Barry," and "Kansas City Princess."

"There are half a dozen more. We are in swell shape," the company spokesman declared, but failed to give the additional titles or to designate whether or not code requirements on them have been met.

John D. Clark, general sales manager at Fox, could not be reached, despite efforts made to do so. Charles E. McCarthy, publicity director, likewise could not be reached at his office.

"Vergie" Cleveland Hit in Spite of Ban

Cleveland, July 16.—"The Life of Vergie Winters," on the Catholic banned list, did better in its second week at the RKO Palace than it did in its first and was moved into Keith's 105th St. for a continuation of the run.

"Sadie McKee," also proscribed, packed them in in a neighborhood house, while "Personality Kid," an approved feature, starved. Neither of these were in Catholic neighborhoods, however.

"Born to Be Kissed" Gets New Monicker

"Born to Be Kissed" hits the M-G-M schedule Aug. 3, almost two months behind its original release date, as "The Girl from Missouri."

Its first delay was occasioned by remakes under Production Code Administration. Company officials declare the picture is innocuous and clean and the only thing about it that may be construed as torrid is Jean Harlow herself.

Newsreels Guarding Against Criticisms

Kansas City, July 16.—That even newsreels are watching their step during the present reform agitation is seen in the fact that none of the newsreels covered the funeral of John Lazia, slain North Side political leader and alleged racketeer, who was given the largest and most elaborate funeral in the history of the city. A representative of one of the newsreels explained that while, once this would have been considered a proper subject, news events of this calibre are definitely out.

"Scarlet Letter" Is First to Be Passed

Hollywood, July 16.—"The Scarlet Letter," produced by Majestic, is the first independent picture to pass the reinforced Production Code Administration.

The producer is not a Hays association member.

Estimate 5,000,000 Have Signed Pledges

Detroit, July 16.—In the *Michigan Catholic,* official organ of the Detroit diocese, it is stated the Catholic crusade against indecent films is now on in 55 dioceses with a total population of 11,000,000 Catholics.

Just how many have signed the pledge is impossible to compute, but one bishop expressed the opinion that already "5,000,000 Catholics have been mustered in." It was stated that action in other dioceses is expected daily.

The story went on to say that some bishops have written personal letters to theatre managers pointing out the exact nature of the crusade, stating that there is no desire to ruin or interfere with anyone's legitimate business, but emphasizing their determination to do everything in their power for the protection of their people.

Producers Worried, States Will Rogers

Boston, July 16.—Passing through here, Will Rogers asserted producers were growing fearful of the widespread agitation against objectionable pictures and expressed the opinion that "the fuss will do a lot of good."

Lutherans Join Fight

Chicago, July 16.—Delegates to the convention of Associated Lutheran Charities, meeting here at the Morrison Hotel and representing 3,000 Lutheran churches, went on record in favor of the crusade against films.

Para. Audit Shows $15,500,000 Cash

(Continued from page 1)

and a group of general creditors represented by Nathan Burkan, attorney, and including Erpi, have been authorized to intervene in the Paramount reorganization proceedings. Orders were signed by Federal Judge Alfred C. Coxe over the week-end which permit the creditors to intervene upon application under the new bankruptcy laws for debtor corporations. Paramount Publix bondholders obtained an intervention order from the Federal court earlier and the stockholders' protective committee headed by Duncan A. Holmes is expected to make a similar application as soon as it has received deposits of more than 50 per cent of the Paramount Publix stock outstanding.

Saenger Files Under New Bankruptcy Act

New Orleans, July 16.—Reorganization of the Saenger interests under the new bankruptcy law is sought in a petition filed in Federal Court by three unsecured creditors, the Blum Real Estate Co., Item Publishing Co., and the Baldwin Hardware Co. E. V. Richards, who has been trustee under the old bankruptcy law, has been named temporary trustee under the new act.

A hearing is scheduled for Aug. 6.

Frisco Para. Bonds Get Federal Permit

Washington, July 16.—The San Francisco Paramount Corp. has been granted permission by the Federal Trade Commission to issue $1,652,000 first mortgage bonds which are to be issued to the Granada Realty Co.'s Bondholders' Protective Committee for the transfer of a real estate title.

This property in San Francisco is the site of the Paramount Theatre Building.

The San Francisco Paramount Corp. is a successor to the Granada Realty Corp.

Among the officers of the San Francisco Paramount Corp. are W. B. Cokell, president; J. D. Van Wagoner, secretary, and M. F. Gowthorpe, treasurer, all of New York.

Para. Exploitation Truck to Make Tour

Paramount's new lineup will be exploited via a traveling sound theatre mounted on a truck and equipped with projection equipment allowing showing of trailers day and night.

Every city and town of 5,000 and over along the route will have one or more screenings of the trailer, which will be renewed from time to time to keep pace with the new product released. The truck has left Hollywood for Seattle where it will start on the tour which will include Salt Lake City, Denver, Kansas City, Chicago and New York. After covering the New England States, the truck goes south along the Atlantic seaboard, returning to the coast via the southern route.

Form Foundation Corp.

Albany, July 16.—The Foundation Distributing Corp., New York City, has been chartered to distribute films. M. E. Curtiss, D. L. Curtiss, and G. Herskowitz are directors and subscribers.

Strike Closes All Houses in San Francisco

(Continued from page 1)

to reopen the theatres until the situation has smoothed itself out. No theatre advertising is being carried in any of the city's newspapers. The houses went dark with the last performances last night.

The strike, settlement of which hinges on reception by employers of the demands being made by the longshoremen's union, has completely paralyzed the city. Transportation has been crippled and business has been severely hit.

Sixty unions, with a total membership of some 67,000 workers, are involved already in the strike, with the number of strikers expected to exceed 100,000 by tomorrow morning.

Frisco Strike Will Not Affect Seattle

Seattle, July 16.—The general strike in San Francisco is not expected to have any effect on local theatres. The local waterfront strike, now past its eighth week, has been responsible for a 20 per cent drop in grosses, but no further decrease is expected. Seattle union sentiment is understood to be against a general strike. Business is expected to continue at its present level unless other crafts strike in sympathy, which is unlikely.

Portland Now Faces Widening of Strike

Portland, July 16.—Theatres here face the prospect of a general strike similar to that in progress in San Francisco. So far business has been affected by the waterfront strike, but now the situation takes a new turn.

Reports are circulating to the effect that the general strike here will be called in 48 hours and that the unions will give 24 hours' notice.

State Censor Fees Go Up to $230,499

Albany, July 16. — Censorship proved a pretty good business for the state in its 1933-34 fiscal year when fees totaled $230,499 against a budget estimate of $225,000. This is an excess of $5,499.

Sign Up Le Pera

Alfredo Le Pera has been signed by Frank Z. Clemente and Lewis Maisell to prepare the story, dialogue and lyrics for the first of a series of six pictures which will be produced in the east under the Latin Artists Pictures Corp. banner.

Closes Canadian Deal

Jules Levy, vice-president and general sales manager of RKO Distributing Corp., has closed with Famous Players Canadian Theatres for the entire 1934-35 Radio product. The deal, Levy says, involves approximately 125 theatres in all Canadian key spots.

WHEN

—that man is
Warner Baxter
•
—that woman is
Madge Evans...

YOU JUST KNOW YOUR CROWDS WILL THRILL!

Compellingly they bring to life one of the year's most popular novels... the drama of strange adventure in exotic lands ... the romance, all-possessive but protecting ... the anguish of love... and its ecstasy!

Faithless
—or true?

Caught in the mesh of a loveless marriage . . . torn between loyalty and loneliness.

Murderer
—or victim?

Plunged from the top of the medical profession to the depths of disgrace.

Warner
BAXTER
in
GRAND CANARY
with
MADGE EVANS
Marjorie Rambeau • Zita Johann
Roger Imhof • H. B. Warner
Directed by Irving Cummings
From the novel by A. J. Cronin
Screen play by
Ernest Pascal

FOX

A JESSE L. LASKY PRODUCTION

British Film Edicts Stir Varied Views

By BRUCE ALLAN

LONDON, July 16 (*By Mail*).—Fundamentally, the issue behind the overbuilding dispute, the rentals controversy, and some other matters, is how far it is practicable to govern the British industry by edicts issued by trade bodies of one sort or another, and backed by the "Big Stick" in place of leaving free play to economic and business forces.

* * *

There must, of course, be control of these forces, but quite a lot of people here think that there has been a tendency recently to attempt to take it too far. The British temperament is individualistic and fair-minded, and doesn't like entrusting the judicial and punitive powers, proper to a public tribunal, to private bodies which must inevitably reflect individual interests.

* * *

In the case of overbuilding, it seems impossible to some to envisage a trade committee which could be safely entrusted with the right to say no to anyone planning a new theatre, much less with the power to back its decision by the drastic method of withholding product. The first essential of such a tribunal is held to be absolute impartiality and one has neither reason nor right to expect it in a trade body, it is argued.

* * *

This is apart from the very grave doubts some feel as to the ability of a trade committee to make its deductions good except against the independents. A producer-circuit could and would laugh at its threats, it is pointed out. If overbuilding is to be controlled by ban, it looks as if the industry will have to find arbitrators and judges outside its own ranks. To be wondered, as well, is if the very extraordinary powers which it would be necessary to give these unofficial judges would be accepted for a moment by the circuits.

* * *

After hesitating between Lord Nelson and the Duke of Wellington as George Arliss's first British film role, Gaumont British has selected the soldier and "The Iron Duke" will go on the floor Aug. 20. Victor Saville will direct and the story, by H. M. Harwood, is expected to cover the "100 days" from Napoleon's escape from Elba until Waterloo, and a little more, in order to take in the peace treaty of Paris.

Lothar Mendes is directing Conrad Veidt, for G-B in both "King of the Damned," the Devil's Island stage play, and in "Anna Karenina," in which Madeleine Carroll will be Anna.

* * *

Sub-standard standardization is all up in the air again, it seems. The technical committee of the British Kinematograph Society has asked the British Film Institute to withdraw its recent endorsement of the D.I.N. German system (recommended to it, be it remembered, by the B.K.S.!) and it looks as if the whole matter will be reconsidered. Protests by firms who asserted their systems had not been examined before the German standard was approved are the motive force behind this revision of policy.

* * *

Rapid developments in the advertising and publicity film production fields are producing serious difficulties for exhibitors now in many areas. Most big commercial films are now sold on the value of the advertising film, which costs considerably less since sub-standard became available, and their method of reaching the public is to stage free shows in which entertainment and advertising items are blended.

One and a half-hour programs are being staged in certain places and the local theatres are feeling it badly. A fully effective remedy is not in sight. One suggestion is to stop advertising films at the source, by trade firms refusing to produce them, but too many conflicting interests are involved to make this a likely proceeding.

Looking 'Em Over

"A Man's Game"

(*Columbia*)

This Tim McCoy vehicle represents good wholesome fun for family audiences at neighborhood houses. The kids, in particular, will revel in it since it has to do with fires and firemen. It is a simple yarn speedily and amusingly developed under the direction of D. Ross Lederman. There is plenty of excitement to it.

Tim and Ward Bond are firemen buddies. They're a sort of Edmund Lowe-Victor McLaglen combination—two honest-to-goodness chums who must have their little bickerings. McCoy joins the fire department when his father, a wealthy shoe manufacturer, demands that he do something in life besides playing around and getting himself into trouble over the traffic laws.

One day Bond and McCoy join in saving Evalyn Knapp at a fire. From that moment the two develop an attachment for the girl. Just after McCoy gets her a job in his father's office, she disappears with the firm's payroll. Miss Knapp is suspected. In reality she is being held prisoner by a couple of criminals working in collusion with the firm's cashier. McCoy and Bond, determined Miss Knapp is innocent, set about to prove it. They succeed, and the fadeout finds McCoy and Miss Knapp altar-bound and the thieves in jail. Running time, 58 minutes.

Two Fox Units Are Chartered in Dover

DOVER, DEL., July 16.—Fox Alhambra Corp., Milwaukee Theatres, Inc., Showcraft Prod., Inc., and M. B. Service Corp., have been incorporated here.

Fox Alhambra and Milwaukee Theatres, listed capital stock of 1,000 shares, no par value, each. The incorporators for both are David H. Jackman, Nutley, N. J.; Vincent W. Westrup, New York, and Arthur W. Britton, West Orange, N. J.

Showcraft Prod. was chartered to handle theatrical and musical productions. The incorporators are C. S. Peabbles, L. H. Herman and Walter Lenz of Wilmington.

M. B. Service Corp. was chartered to create, write, cast and produce theatrical film, radio and television programs. The incorporators are C. S. Peabbles, L. H. Herman and Walter Lenz of Wilmington.

Germany Bans Two

BERLIN, July 16.—Attributing no reason, the German government has banned "Nana" and "Men in White."

Expect Loew's Will Remain in the Penn

PITTSBURGH, July 16.—Actual management of the Penn is expected to remain in the hands of Loew's and United Artists in spite of the transfer of control to preferred stockholders here. Leopold Friedman, vice-president of Loew's, has been retained as fourth director to represent common stockholders.

Control now rests with the Penn-Federal Corp., a holding company, and the other three directors are Roland McGrady, attorney; Earl A. Morton, vice-president of the Commonwealth Trust Co., and Edwin S. Fownes, Oakmont.

"U"-Doane Deal Set

HOLLYWOOD, July 16.—Warren Doane will produce four two-reel musical "Brevities" for Universal's fall release. The shorts will feature vaudeville and radio acts. Lyon Cowan will be master of ceremonies in the first.

"Take a Bow" to Stay

"Baby Take a Bow" will be held for a fourth week at the Roxy, beginning Friday, it was learned yesterday. That the film would go another stanza was forecast on Friday by MOTION PICTURE DAILY.

La. Walkathons Ended

NEW ORLEANS, July 16.—Governor Allen has signed a bill prohibiting walkathons and other endurance contests which have been heavy competition for theatres.

"Jane Eyre" Previewed

"Jane Eyre," starring Virginia Bruce and Colin Clive, was shown to the trade by Monogram at a special preview at the Criterion yesterday morning.

Heading for Europe

HOLLYWOOD, July 16.—Constance Bennett is slated to leave July 20 for a European vacation. She recently finished in "The Green Hat" for M-G-M.

"Bondage" Is Detroit Wow; Gets $23,200

DETROIT, July 16.—Brightest spot on the first run horizon here was "Of Human Bondage," which grabbed a sensational $23,200 at the Fox. This is $8,200 over normal.

"Here Comes the Groom" also did a fine business, getting $21,300 at the Michigan. United Artists went up to $7,100 on "Dr. Monica." The weather was hot, but business was better generally than in the previous week.

Total first run business was $58,300. Average is $55,000.

Estimated takings for the week ending July 12:

"THE CIRCUS CLOWN" (Warners)

FISHER—(2,975), 15c-50c, 7 days. **Gross:** $6,700. (Average, $10,000)

"OF HUMAN BONDAGE" (Radio)

FOX—(5,100), 15c-50c, 7 days. Stage: Rosemary Derring heading seven-act bill. **Gross:** $23,200. (Average, $15,000)

"HERE COMES THE GROOM" (Para.)

MICHIGAN — (4,100), 15c-50c. 7 days. Stage: Ted Lewis and His Melody Masters. **Gross:** $21,300. (Average, $20,000)

"DR. MONICA" (Warners)

UNITED ARTISTS—(2,070). 7 days. **Gross:** $7,100. (Average, $10,000)

"Bondage" Does $73,000

"Of Human Bondage" was New York's biggest grosser last week. The Radio picture and stage show drew $73,000 in its second week at the Music Hall.

Some of the other grosses for the week were:

Palace—"Hell Cat" (Col.) and vaudeville, $15,000.

Paramount — "Shoot the Works" (Para.) and stage show, $26,800.

Strand—"Midnight Alibi" (Warners), six days, and "Man with Two Faces" (Warners), one day, $9,700.

Ohio Pulls Nazi Film

COLUMBUS, July 16.—After viewing "Hitler's Reign of Terror," which opened at the Allen, Cleveland, Thursday, the German consulate has made official protest to Governor White that the picture presents "a distorted view" of conditions under Nazi rule.

Although passed by the censors, Governor White has ordered further showings stopped and has ordered the censors to view the film again.

On Personal Appearances

HOLLYWOOD, July 16.—Joe Morrison leaves for New York the last week in July for an extended engagement at the Paramount. The actor will report back to Paramount here on completion of the engagement.

Mitzi Green checks out for Chicago for three weeks of personal appearances Aug. 12.

Nolan Quits Hospital

HOLLYWOOD, July 16.—John Nolan, Australian representative for Fox, today left the Cedars of Lebanon Hospital and will recuperate here.

Louis Gottschalk Dead

HOLLYWOOD, July 16.—Louis Gottschalk, composer and conductor, 70, died today after a paralytic stroke. His widow and a daughter survive.

The Leading Daily Newspaper of the Motion Picture Industry

MOTION PICTURE DAILY

Alert, Intelligent and Faithful Service to the Industry in All Branches

VOL. 36. NO. 14 NEW YORK, WEDNESDAY, JULY 18, 1934 TEN CENTS

Philadelphia Closing Plan Is Discarded

Boycott Protest Out One Day Before Time Due

A plan to shut down theatres wholesale in Philadelphia in protest against the blanket Catholic boycott ordered there by Cardinal Dougherty has been cancelled one day ahead of the original two weeks' notice to theatre employes.

This is a complete and official confirmation of a Philadelphia dispatch published in Motion Picture Daily on July 11 that the scheme first advanced would be quietly dropped.

Philadelphia, July 17. — The about-face in the announced plan to close Warner and many of the M. P. T. O. member theatres in Philadelphia developed here late last night at the testimonial dinner tendered to retiring President Lewen Pizor by the M. P. T. O.

Speaking for Warners, Joseph C. Bernhard, general manager of that

(Continued on page 6)

Philadelphia Board Stops Price Cutting

Philadelphia, July 17.—Cutting prices below contract schedules by the Opera House, Columbia, Pa., has been ordered stopped by the grievance board. The case was brought by the State, Columbia.

A similar ruling has been made against the Morris, South Philadelphia. The Grand-Jackson Theatre Co. was complainant in this case.

Zeidman to Make 4 More as 'U' Producer

Hollywood, July 17. — With two more pictures yet to complete as an independent producer for Universal, B. F. Zeidman has been signed to a new contract for four more to be turned out as a producer for the company, without outside capital.

M-G-M Loses Appeal In "Rasputin" Suit

London, July 17.—M-G-M today lost its appeal in the libel suit of Princess Irena Youssoupoff, who was awarded $125,000 by a lower court on on the charge that the character of Natasha in "Rasputin and the Empress" was a reflection upon her.

Loew Gets 'U,' Columbia List; RKO Rift Widens

Tussle Between Major N. Y. Circuits for Top Spot Grows

The Loew circuit will play Universal and Columbia in the metropolitan area next season, giving it six major programs, in toto and in part, to draw on and further indicating a widened rift in relations with RKO, its most important circuit competitor.

Exactly to what extremes these buys will change the complexion of the local situation is perhaps too early to figure, but the general impression has it this additional strengthening of the Loew picture situation may prove to be the last straw in an open tussle with RKO for supremacy in the richest territory in the United States.

Sold to Loew for the first time in its history and away from RKO which for some years has been purchasing the product for its city circuit, the Universal lineup will now go four ways. Loew has purchased 18 Universals for its more important houses. In addition there is a criss-

(Continued on page 8)

Holmden in Charge Of 306 for IATSE

Harland Holmden, president of the Cleveland M. P. Operators' Union, assumed charge of Local 306 yesterday in response to a request of George Browne, I. A. T. S. E. president.

Holmden is expected to continue in charge of Local 306 until its affairs have been straightened out sufficiently to permit an election of new officers by members.

Reports were current yesterday that a new effort was under way to consolidate Local 306 with Allied M. P. Operators' Union. While the prospect of such a consolidation was regarded as probable by persons closely associated with both organizations, no official verification of the report could be obtained.

New Saenger Moves Include No Claims

New Orleans, July 17.—No new claims have been filed in Federal Court as a result of the bankruptcy petition filed under the new law. It is understood that action authorizing the filing of the petition and allowing a claim of the A. Baldwin Co., hardware dealers, was taken by a bondholders' committee meeting July 12.

Loew's and Warners to Make Alternate Bids for Fox Met

Loew's and Warners are preparing two alternate bids for the Fox Metropolitan circuit, one of which will offer $4,500,000 for the leasehold assets and the other, $4,000,000 for the bonds deposited with the bondholders' committee, it was learned yesterday.

Details of both bids are still in process of negotiation, it was reported, and no estimate of the time it would take to complete them could be made yesterday. The alternate bid for the bonds, rather than the leaseholds, is being made at the direction of Federal Judge Julian W. Mack, who is slated to hear the new offers on Friday. Spokesmen for the bidders were unable to say yesterday whether an agreement could be reached with the bondholders by that time.

Percentages, Unclean Films Hit By KMTA

Kansas City, Mo., July 17.—Percentage sales were condemned today in a resolution at the 16th annual convention of the Kansas-Missouri Theatre Ass'n. The resolution, introduced by Tom Edwards of Eldon, Mo., was adopted on the ground distributors demand preferred datings for percentage pictures with resultant loss to exhibitors.

Clean films were a topic of discussion, the majority opinion being favorable to the campaign to purge the screen. It was revealed that many members of the association are cooperating with the churches.

John C. Stapel, K. M. T. A. vice-president, was named to the presidency. C. L. McVey was elected

(Continued on page 8)

Film Pledges To Be Sought In Homes Here

Methods of distributing the Legion of Decency pledges were discussed at a meeting of the inter-faith committee at the rectory of Holy Cross Church yesterday afternoon when it was decided to divide the city into districts, each under a sub-committee, and to make a house-to-house campaign for signatures.

The main purpose of this action, said Rev. Joseph A. McCaffrey, spokesman for the committee, is to enable non-churchgoers as well as churchgoers to join the campaign. The drive will be started within the next two weeks.

"We are anxious to have the motion picture industry understand immediately that this campaign is a serious,

(Continued on page 6)

Colored Theatres Given White Clearance Rating

Theatres catering to colored patronage are given the same rating on clearance as theatres patronized by whites, as a result of a decison handed down by Campi sustaining a Washington, D. C., clearance and zoning board ruling granting Loew's white patronage houses 21 days' protection over Lichtman Theatres black patronage houses.

Lichtman's houses formerly did not follow the Loew houses in accordance with custom prevailing generally

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George Weeks Here

George W. Weeks is in New York for a series of conferences with Arthur A. Lee, in connection with the west coast distribution of Gaumont British and Gainsborough pictures.

Lee has added Rudolph Bach to the sales department to work out of the New York office and in the metropolitan area.

Fuller Now in London

LONDON, July 17.—Sir Benjamin Fuller, director of Fuller's, Ltd., Australian theatre circuit, has arrived here to try to secure auxiliary finance for the floatation of an Australian production company, to obtain product for his houses and to contact English production heads.

First U. A. Releases Set

United Artists has set dates on its first two releases of the new season. "Bulldog Drummond Strikes Back" will be released on July 20, while "The Affairs of Cellini" is scheduled for Aug. 3.

"Rothschild" on Today

"The House of Rothschild" starts its first local popular price run today with the reopening of the Rivoli, which has been dark for the past four weeks.

Votes for Sunday Shows

WELLINGTON, Kan., July 17.—Sunday shows won a victory at a special election here yesterday by a vote of 1,739 to 763.

Insiders' Outlook

WHEN two giants begin to throw mountains at each other, the consequences are apt to be what you find bubbling and boiling over in little old New York as this was written last night. There are wheels within wheels in all of this and some of them might be confusing and contradictory if you don't watch out or if you don't know what the lowdown happens to be. About the time, Nick Schenck and Harry Warner surprised all and sundry by joining up in a combination bid for those Fox Met. houses, RKO, having something like $39,000,000 invested in New York theatre properties, began to look around and see what it could see. . . .

▼

For instance, it saw, or thought it saw, troublesome waters ahead if that bid were accepted. It envisioned then, as it no doubt does now, that its theatre position might be threatened if Loew added a chunk of perhaps as many as 50 houses in Greater New York. It came to the conclusion its investment needed safeguards and that explains how and why some deals were started on the q. t. for additional houses in this territory. They had to be in zones where Loew would become the big cheese if the Fox Met. dicker became a deal; they had to be convertible into first runs which was viewed as simple because RKO had no houses of its own in those areas anyway. So the circuit began to swing out for more houses. . . .

▼

The scene now shifts to Broadway and 45th St. Loew, discovering what was going on quickly enough because there are ways of doing that, became annoyed at RKO's plans. Moreover, it didn't hesitate to say so. "Two can play that game," was the reaction and immediately there was set afoot a plan to step into sacred RKO domain. At the same time and, by way of preparation for the possible annexation of those Fox Met. properties, Dave Loew began to dig around for more product. Already corralled was all Metro, United Artists, half of Paramount and Warner. Captured from the RKO ranks where they had been regimented for several seasons, come Universal and Columbia. Beyond question, Loew thereby steps into Number 1 spot in point of picture availabilities. . . .

▼

RKO maintains its poise and insists (1) the battle isn't over and (2) there is nothing to worry about. While the entente cordiale which has prevailed from time to time between these two major metropolitan circuits has been strained on occasion and again is, the understanding has prevailed more often than otherwise that each was to leave the other fellow's backyard alone. The battle standards now flying bravely in the breeze, on the other hand, may yet be pulled down. There was the time, only a season back, when RKO was in the position Loew is now in. . . .

▼

Schenck needed pictures and told Harold B. Franklin so at the time. He got the product and, therefore, a favor at the same time. What happened once may happen again. Even giants have found it good business to be cooperative. Aside from that, next season may find RKO sitting where Loew is today. Potentially in the sweetest spot of all is Johnny Clark with Fox, the only unsold major line of product. If the franchise which Skouras and Randforce insist is theirs is found not to be theirs, a deal with RKO will be possible. Clark then will collect plenty and right down the line. . . . KANN

Loew Pfd. Off ½ on Big Board

	High	Low	Close	Net Change	Sales
Consolidated Film Industries	3	3	3	.....	100
Consolidated Film Industries, pfd	12¾	12½	12½	— ½	100
Eastman Kodak	98	98	98	+ ⅝	100
Fox Film "A"	11¾	11½	11½	— ⅛	100
Loew's, Inc.	27⅛	26½	26¾	+ ⅜	2,100
Loew's, Inc., pfd	90½	90½	90½	— ½	100
Paramount Publix	3½	3⅜	3⅜	.....	1,100
Pathe Exchange	1⅞	1¾	1⅞	— ⅛	400
Pathe Exchange "A"	18⅝	18¼	18⅝	— ¾	600
RKO	2⅛	2	2⅛	+ ⅛	3,600
Warner Bros.	4⅝	4½	4½	— ⅛	5,100

Trans Lux Off ⅛ on Curb

	High	Low	Close	Net Change	Sales
Technicolor	13⅝	13⅛	13⅛	— ⅜	700
Trans Lux	1⅜	1⅜	1⅜	— ⅛	400

Bond Market Off Slightly

	High	Low	Close	Net Change	Sales
General Theatre Equipment 6s '40	7	5¾	5¾	—1¼	9
Loew's 6s '41, ww deb rights	100½	100½	100½	— ¼	7
Paramount Broadway 5½s '51	40	40	40	— ½	5
Paramount F. L. 6s '47	46	46	46	— ½	1
Paramount Publix 5½s '50	47½	47½	47½	+ ½	1
Warner Bros. 6s '39, wd	53½	53¼	53¼	— ⅜	2

◀ Purely Personal ▶

R. C. SHERRIFF leaves England for the United States aboard the *Majestic* today on his way to Hollywood where he will work on the scripts of the two Dickens tales planned for production by Universal, "Great Expectations" and "The Mystery of Edwin Drood."

HARRY D. GOLDBERG is back from Buffalo, where business having to do with "The World in Revolt" kept him busy for about 10 days.

SAM JAFFE departed for the coast yesterday to appear in SAMUEL GOLDWYN'S production of "We Live Again."

GUSTAV BROCK, hand-coloring expert, did special work for "Here Comes the Navy."

GLENN GRISWOLD has left the Doctors' Hospital.

DAVID BERNSTEIN is in Maine vacationing.

E. M. FAY of Providence is in town.

"U" Importing 3 Britons

Three British players are being imported by Universal under long-term contracts. They are Carol Coombe, Francis L. Sullivan and Valerie Hobson. Miss Coombe is already on her way. She will reach New York aboard the *Britannic* on Saturday and leave Monday for the coast. The other two sail for the States aboard the *Berengaria* July 21.

Cohn, Spingold Back

Jack Cohn and Nate Spingold returned to their offices at Columbia yesterday after their trip to the coast following the western sales meet in Chicago.

HOLLYWOOD, July 17.—Harry Cohn is expected to leave by plane for New York the end of this week.

Mayer Coming by Plane

HOLLYWOOD, July 17.—Louis B. Mayer, Frank Orsatti and Howard Strickling fly to New York tomorrow. On Friday they will sail for London. From there they will go to Vichy, France, where Mayer will take the cure.

Lou Brown a Dad

WASHINGTON, July 17.—Mrs. Shirley Brown has presented Lou Brown, local publicity chief for Loew's, with a five-pound baby girl. Both Mrs. Brown and child are doing splendidly at the Sibley Hospital.

Shirley's Pay Not Set

HOLLYWOOD, July 17.—Parents of Shirley Temple and Fox executives are still in a huddle over the former's demand for $2,500 per week as against the $1,000 offered by the company.

Big Musical Planned

HOLLYWOOD, July 17.—Warners are planning a super musical for fall production featuring Al Jolson, Dick Powell and Rudy Vallee.

Paramount Sets Preview

"She Loves Me Not," one of Paramount's new season attractions, will be previewed at the Criterion at 11 o'clock this morning.

BRIGHTEST PAGE

in motion picture history!

M-G-M STAR SPANGLED BANNER

1934-35

AMONG THE SPECIALS

THE MERRY WIDOW
Ernst Lubitsch's production, starring Maurice Chevalier, Jeanette MacDonald. Irving Thalberg, producer.

DAVID COPPERFIELD
Charles Dickens' famed novel. George Cukor, director David O. Selznick, producer. Cast to be announced.

THE GOOD EARTH
Pearl S. Buck's best-seller Adaptation by Frances Marion. George Hill, director Irving S. Thalberg, producer Cast to be announced

BARRETTS OF WIMPOLE STREET
Norma Shearer, Fredric March, Charles Laughton in illustrious stage hit. Director, Sidney Franklin. Irving Thalberg, producer.

CHAINED
Joan Crawford, Clark Gable co-starred. Director, Clarence Brown. Hunt Stromberg, producer.

MUTINY ON THE BOUNTY
Clark Gable, Wallace Beery, Robert Montgomery in best-seller and serial. Frank Lloyd, director. Irving Thalberg, producer.

MARIE ANTOINETTE
Norma Shearer, Charles Laughton and Fredric March in Stefan Zweig's famed best-seller Irving Thalberg, producer.

NAUGHTY MARIETTA
Victor Herbert's operetta, starring Jeanette MacDonald with Nelson Eddy. Robert Z. Leonard, director. Hunt Stromberg, producer.

Ernst Lubitsch, Charles Laughton, Herbert Marshall, courtesy Paramount   Fredric March, courtesy 20th Century.

STAR PICTURES

- ONE JOAN CRAWFORD
- TWO JEAN HARLOW
- TWO WALLACE BEERY
- ONE CLARK GABLE
- ONE ROBT. MONTGOMERY
- ONE JEAN PARKER
- TWO WILLIAM POWELL
- ONE WARNER BAXTER—MYRNA LOY
- ONE RAMON NOVARRO
- ONE GLORIA SWANSON
- TWO MARION DAVIES
- ONE JEANETTE MacDONALD
- ONE MARIE DRESSLER—WALLACE BEERY
- ONE HELEN HAYES
- TWO LIONEL BARRYMORE

ONE CONSTANCE BENNETT
in Michael Arlen's famed novel. CONSTANCE BENNETT HERBERT MARSHALL, Elizabeth Allan, Mrs. Patrick Campbell, Henry Stephenson and many more. Directed by Robert Z. Leonard.

Constance Bennett, courtesy 20th Century.

ONE ANN HARDING & ROBERT MONTGOMERY
in "Biography of a Bachelor" based on the stage hit "Biography" by S. N. Behrman. Screen writers Anita Loos and John Emerson. E. H. Griffith is director.

Ann Harding, courtesy RKO

TWO LAUREL-HARDY FEATURE LENGTH COMEDIES

TWO ALL-STAR COMEDIES
Produced by the two most successful comedy producers of today, Charles Reisner and Jack Cummings . . . Jimmy Durante, Charles Butterworth, Louise Fazenda, Stuart Erwin, Ted Healy, Una Merkel and others in the casts.

FOUR COSMOPOLITAN PRODUCTIONS
Just an idea of the Cosmopolitan hits of past months "Penthouse," "Manhattan Melodrama" and "The Thin Man." Cosmopolitan Productions get nationwide advertising and publicity through the Hearst chain of newspapers.

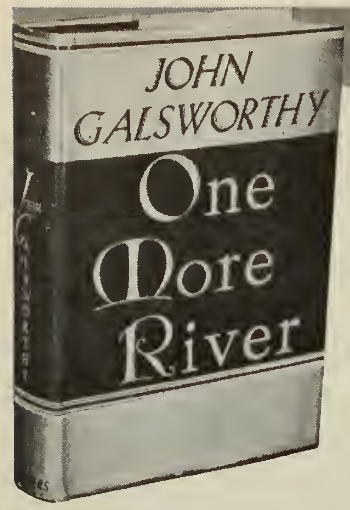
FOURTEEN MARQUEE PICTURES
Showmanship ideas, new slants in production, with casts of top-notch names...Marquee Pictures over a period of several years have won a high rating for consistent entertainment delivery!

SHORT SUBJECTS

(Two Reels)
HAL ROACH M-G-M COMEDIES
- 3 LAUREL-HARDY
- 8 CHARLEY CHASE
- 7 IRVIN S. COBB
- 8 TODD-KELLY
- 6 OUR GANG
- 6 M-G-M MUSICAL REVUES IN TECHNICOLOR

(One Reel)
- 12 PETE SMITH ODDITIES
- 6 PETE-SMITH GOOFY MOVIES
- 13 M-G-M MUSICAL CARTOONS IN COLOR
- 8 FITZPATRICK TRAVELTALKS IN TECHNICOLOR
- 104 ISSUES HEARST METROTONE NEWS WITH EDWIN C. HILL AS THE GLOBE TROTTER

DIANA



A Great Novel Becomes an Even Greater Picture!

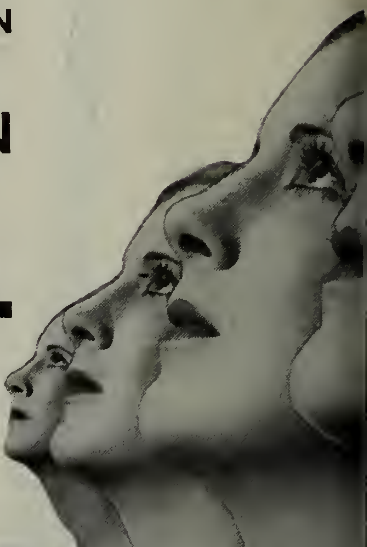
●

With This Splendid
Box-Office Cast:

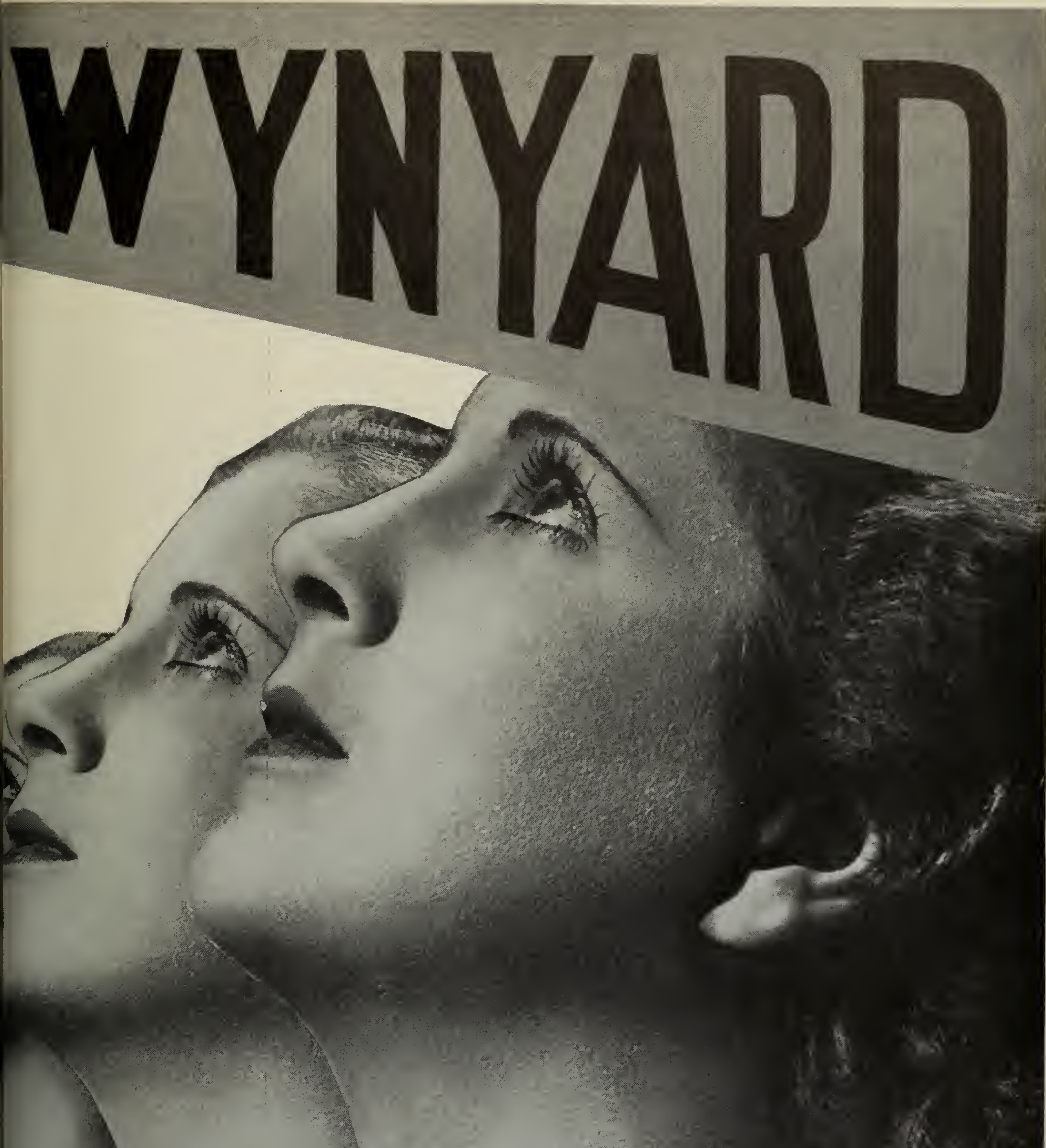
FRANK LAWTON—JANE WYATT—MRS. PATRICK CAMPBELL—COLIN CLIVE—LIONEL ATWILL—REGINALD DENNY—C. AUBREY SMITH—HENRY STEPHENSON—KATHLEEN HOWARD—ALAN MOWBRAY. Screenplay by R. C. SHERRIFF.

CARL
LAEMMLE
presents—

A JAMES WHALE PRODUCTION
for
UNIVERSAL



ONE MORE


WYNYARD
RIVER

Film Pledges To Be Sought In Homes Here

(*Continued from page 1*)

sustained and determined effort to purge the industry of all indecency, portrayals of crime and lewdness," Father McCaffrey continued.

It was further agreed that all civic societies, clubs and associations should be supplied with pledges, and that all members of these organizations be requested to sign them and to support the campaign. It was revealed that many requests for pledges have already been received by the committee, and these will be sent out shortly.

With the opening of schools in September a drive will also be started to enroll every child attending school in Greater New York. This will include colleges, high schools, grade schools and Sunday schools.

Since the first meeting there has apparently been a change of plans, for it was then announced that the next step would be a conference with the producers. When asked about this yesterday, Father McCaffrey said that such an invitation would have to come from some national organization since his committee would confine itself to local affairs.

Criticizes Cancellation Plan

The committee also went on record as being dissatisfied with the recent arrangement of the Hays office whereby exhibitors could cancel pictures made up to July 15 on moral grounds. It was felt that this was a step in the right direction, but that it did not go far enough and that some preparation should be made for the cancellation of product after that date.

In the matter of future supervision the committee will be guided by the national Protestant, Catholic and Jewish organizations, since it is only a local unit.

The meeting was presided over by Father McCaffrey. The other members who attended were: Rev. J. Henry Carpenter, secretary of the Brooklyn Church and Mission Federation; Rabbi Sidney E. Goldstein, associate rabbi of the Free Synagogue; Rabbi William F. Rosenblum, Temple Israel, and Rev. Frederick B. Newell and Rev. Walter M. Howlett of the Greater New York Federation of Churches.

PHILADELPHIA, July 17.—Endorsements of the clean film drive have been made by many Protestant pastors, according to Rev. Dr. Percy Stockman, chairman of a committee of the Philadelphia Federation of Churches, which last week called for support from all Protestants.

ENGLEWOOD, N. J., July 17.—Posting of a weekly "white" list of films will be started Sunday by Rev. Albert H. Dolan of St. Cecilia's Catholic Church. To date 2,000 have signed the Legion of Decency pledge. Exhibitors blame block booking for their troubles in conferences with him, says Father Dolan.

PORTLAND, July 17.—Improvement in the moral tone of films and the eventual inclusion of a course in picture appreciation in high schools here are among the aims of the Portland M. P. Council, which has just completed its organization. Mrs. S. E. Skelly, American Ass'n. of University Women, is chairman, and Mrs. Hugh Smith, Parent-Teachers' Ass'n., is secretary.

OMAHA, July 17.—No resolution favoring the present drive on objectionable films was voted at the convention here of the Walther League, which decided to continue its stand taken last year against indecent pictures rather than align itself with any other church organization in the current campaign. The league, however, has promised its cooperation to the Protestant campaign.

The league plans to form a better films committee here in September. Its basis will be a similar committee formed in Omaha three years ago. All church groups, parent-teacher associations and women's clubs have been invited to appoint representatives. A local committee will keep in touch with developments on the coast.

Looking 'Em Over

"Cuesta Abajo" ("Downward")

(*Paramount*)

This is the first of a series of Spanish films being produced at Eastern Service Studios by Paramount starring Carlos Gardel. The Argentine star is little known in this country, but previously has produced two for Paramount in Paris. He is said to be the idol of Spanish-speaking countries.

Gardel sings several numbers. His voice is remarkable. It has warmth and power and he sings with graceful ease. George Webber has done an unusual job of photography and Louis Gasnier's direction is neat. Mona Maris is made to appear extremely beautiful.

Even non-Spanish speaking audiences who enjoy good singing and an engaging personality can find pleasure in this feature.

"I Give My Love," Monday night's premiere at the Mayfair, was reviewed by wire from Hollywood on May 22.

"His Greatest Gamble," last night's premiere at the Rialto, was reviewed by wire from Hollywood on June 18.

"Grand Canary," tomorrow's opener at the Radio City Music Hall, was reviewed by wire from Hollywood on June 15.

Breen O. K.'s 14 Features

HOLLYWOOD, July 17.—Fourteen features and 12 shorts were certified today by Joseph I. Breen. Features approved were:

"The Catspaw" (Harold Lloyd); "Housewife," "Friends of Mr. Sweeney," "Circus Clown," "Madame Du Barry," "Here Comes the Navy," "Kansas City Princess," "Return of the Terror," "Midnight Alibi" (Warners); "Cleopatra" (Paramount); "Our Daily Bread" (U. A.); "One Night of Love," "Blind Date" (Columbia).

Ad Men Meet Milliken

Advertising and publicity heads of M. P. P. D. A. member companies met yesterday with Carl E. Milliken and J. J. McCarthy at the Harvard Club to discuss film and theatre advertising policy. The meeting was described as "routine" by both Milliken and McCarthy.

Allied Meets at Shore

ASBURY PARK, July 17.—The regular meeting of Allied of New Jersey was held at the Berkeley-Carteret here today with Sidney Samuelson presiding.

"One Night of Love" Impresses Londoners

By BRUCE ALLAN

LONDON, July 17.—"One Night of Love" created an enormous impression at its opening in the Prince Edward Theatre tonight. Officials of all the important companies were present.

Grace Moore's singing was regarded as a new high in recording.

Dine Spanish Writers

Paramount was host yesterday at Sardi's to a group of about 40 Spanish-speaking correspondents, some of whom are connected with New York publications, but most of them with Central and South American papers. Eugene Zukor was present.

Following the luncheon "Cuesta Abajo" was shown in the Paramount building. This is the first of a series in Spanish starring Carlos Gardel, Argentinian actor and singer.

A.T.&T. Earns $61,999,195

A. T. & T., which controls Western Electric, earned $61,999,195 in the first half of the year. This does not reflect the current deficit of Western Electric. This figure represents $3.32 a share for the first six months and compares with $2.40 per share for the same period last year.

Nolan Wants to Quit

HOLLYWOOD, July 17.—John Nolan, who is now recuperating after several weeks at the Cedars of Lebanon Hospital, has asked that he be relieved from his Australian post by Fox. He plans to rejoin the New York sales force when he has recovered.

Hawks on "Sutter"

HOLLYWOOD, July 17.—Howard Hawks has been signed by Universal to direct "Sutter's Gold," thereby clinching the company's intention of making it for the 1934-35 program.

Edward G. Robinson and Richard Dix have been considered for the lead.

Sloane Beats Schedule

HOLLYWOOD, July 17.—Paul Sloane, directing "Four Walls" for M-G-M, brought the production into the cutting rooms in 18 days.

Philadelphia Closing Plan Is Discarded

(*Continued from page 1*)

circuit's theatres, explained the switch in decision had been made in view of numerous petitions from clubs, Chambers of Commerce, business men and hardships which thus would be passed on to employes.

"We believe that the greatest good for the greatest number should be served and, while it may be to our financial loss to continue operating our theatres under these conditions, we, nevertheless, at this time have decided to heed requests and will continue operating our theatres with a hope of an early modification of this unfair boycott," he said.

Charles Segall, incoming M. P. T. O. president, said:

"I want to go on record that I shall continue to fight against closing of theatres." He thereby indicated the sentiment of independents was with Warners.

Nizer Acts as M.C.

Louis Nizer, secretary of the New York Film Board of Trade, acted as master of ceremonies. Judge Kephart of the Supreme Court reminded the film men of their responsibility to the public, but said:

"The boycott against all moving picture production is not entirely fair. The 80 per cent should not be penalized because 20 per cent is bad."

Ed Kuykendall paid tribute to Pizor and condemned members of the industry "who take advantage of a situation and rush into statements derogatory to motion pictures for personal aggrandizement."

He hit salacious advertising as doing more damage than any other factor and hit the tendency of exhibitors to use block booking as an excuse for the present situation.

One hundred and fifty attended. Pizor was presented a watch from the M. P. T. O. and a bag from distributors. A gift is to come from members of Local 307, I. A. T. S. E.

Radio to Do Feature In New Technicolor

Radio has completed a deal with Pioneer Pictures, headed by John Hay Whitney, to produce a feature, "The Three Musketeers," in the new Technicolor process. This is the process used in the short, "La Cucaracha," which is to be released soon.

The feature will go into work about Oct. 1 and will be ready for release, it is expected, about Jan. 1. The deal was closed by Whitney with J. R. McDonough and B. B. Kahane, who acted for Radio. Kenneth MacGowan, who directed "La Cucaracha," and Robert Edmond Jones, who designed the sets, will act in the same posts on the new feature.

Technicolor in Paris

HOLLYWOOD, July 17.—Natalie Kalmus leaves Wednesday for Paris where she proposes establishing offices for Technicolor and collaborating with several French producers on the color process.

TO THE PRAISES OF THE CRITICS . . .
ADD THE PLAUDITS OF THE CROWDS!

hile critics honor this mighty entertainment as "a notable ldition to cinema's best"... $2 Criterion audiences... caught its emotional tide... are swept to laughter, tears, sustained plause. Audience reaction... true guide to box office power .marks "The World Moves On" as a picture truly great!

THE WORLD MOVES ON

"THE LOVE STORY OF A CENTURY"

with

MADELEINE CARROL

FRANCHOT TON

Produced by Winfield Sheehan

Directed by John Ford

Story and screen play by Reginald Berkeley

A FOX PICTURE

Loew Gets 'U,' And Col.; RKO Rift Widens

(*Continued from page* 1)

cross split, varying in competitive zones but under which part of the "U" lineup will go to Skouras Theatres, Randforce and the Century circuit. Loew also has annexed the right to play the rest of the Universal lineup in its other theatres, but not in neighborhood first runs.

Columbia's deal also marks a sale away from RKO. It is understood to have been precipitated by the charge RKO failed to live up to its commitment to play 11 Columbias the big half of the week during the season about to close. Loew is reported to have purchased 17 of Columbia's new list with a call on the remainder for other of its theatres.

This gives the Loew circuit as availabilities 50 from M-G-M; 30, or half, from Paramount; 30, or half from Warners; 18 from Universal, 17 from Columbia and 10 from United Artists, the latter holding a long-time franchise with the circuit renewable each season subject to agreed upon terms. The understanding is the U.A. picture overage may be picked up by Loew at its discretion and again subject to terms.

As against this, RKO has available 50 from Radio Pictures; 30, or the second half, of Warners; and 30, or the second half, of Paramount. In the balance is the Fox list, but whether or not a deal with RKO is possible appears undetermined at the minute.

Franchise Is Involved

Involved here is an extended franchise originally made with Skouras Theatres and Randforce and turned over to the RKO circuit when the latter made its booking deal with the former two chains. RKO, however, canceled out some months ago, thereby presumably returning the franchise to Skouras and Randforce. Fox lawyers are now studying the company's rights in the matter and expect to arrive at a decision in the next couple of days. Those claiming to speak authoritatively for both Skouras and Randforce yesterday asserted the Fox franchise had reverted to them.

The significance of this rests in the fact that, if Skouras and Randforce pick up the Fox product, no sale to the RKO circuit will be possible, thereby confronting those theatres with a product shortage which disinterested bystanders declare will prove to be extremely serious. The only other remaining product which then would become available on this basis would be independent attractions.

The strained relations between RKO and Loew are understood to be traceable to plans made by the former to take over additional houses in zones which would become Loew-dominant in the event the Loew-Warner bid for Fox Met is finally accepted. RKO officials, voicing opinions privately, regard their acquisitions, actual and potential, as necessary to protect their own circuit's position in the metropolitan area. Loew, on the other hand, is known to feel RKO has stepped into situations competitive with its existing theatres.

In the meantime, the surprise film buys on the part of Loew is met with calm and assurance at RKO where the attitude is reflected by this comment:

"The show isn't over yet. Just wait and see."

Colored Theatres Given White Clearance Rating

(*Continued from page* 1)

throughout the southern states. This precedent for granting protection to a "white" house over a "black" house may result in widespread changes in release schedules in the south. The decision was one of 20 handed down yesterday by Campi on appeals brought to it since June 28. Other decisions are:

Kansas City—Nu-Era vs. Summit. Grievance board ruling dismissing an overbuying complaint against the Summit is affirmed.

Indianapolis—Dream vs. Paramount. Grievance board ruling dismissing a complaint of reduced admissions by the Paramount is affirmed.

Baltimore—Brooklyn vs. McHenry's and Pacy's Garden. Clearance and zoning board's decision affirmed. De Luxe vs. McHenry's, Pacy's Garden and Brodie. Clearance and zoning board's decision modified limiting the protection of the respondents to 10 days over the De Luxe beginning with the new season.

Buffalo—New Ariel vs. Majestic. Grievance board rulings finding the Majestic guilty of reducing admissions and continuing the practice after a cease and desist order was served are affirmed. The board's order to distributors not to furnish the Majestic with film after June 25 is approved and a similar order is issued to distributors by Campi to take effect July 25 unless the Majestic files a certificate of compliance satisfactory to the grievance board prior to that date.

Victoria, Texas—Rubin Frels vs. Jefferson Amusement Co. Grievance board finding that Jefferson was overbuying and making too frequent changes of program is affirmed. The board's ruling that Frels is to have one-half of the product signed for by Jefferson with the exception of Paramount pictures so long as both shall continue in business is modified to be effective for one year only.

Schine Found Overbuying

Lockport, N. Y.—Reliance Theatres vs. Schine Theatrical Co. Grievance board finding that Schine was overbuying and should release 17 features to Reliance affirmed with modifications which still require Schine to release 17 to Reliance.

Middletown, Conn.—Middletown Enterprises vs. Poli Circuit, Hartford. Clearance and zoning board ruling eliminating seven-day protection of Hartford over Middletown and Meriden is affirmed.

Lowville, N. Y.—Ernest J. Wolfe (Avalon) vs. Schine Theatrical Corp., Watertown, N. Y. Clearance and zoning board's decision modified to give Schine's Avon seven days' protection over the Avalon until such time as less protection is given the Avon over any other house approximately the same distance from it as the Avalon.

Littleton, Col.—Fred Lind (Grand) vs. Gothic, Englewood, Col. Grievance board finding that the Gothic had reduced admissions and its order to cease and desist is affirmed.

Camden, N. J.—Camden Drive-In Theatre vs. RKO. Dismissal of the Camden's complaint of nonfulfillment of contract by RKO affirmed on the grounds that the complainant has other recourses at law.

Alton, Ill.—Protest by S. E. Pirtle, Jerseyville, Ill., to St. Louis clearance and zoning board over protection granted to Alton. Board's ruling affirmed with the modification that if any less protection is ever granted Alton over theatres equally distant as Jerseyville is from Alton, then the same reduction shall be made for Jerseyville.

Hudson, N. Y.—S. Hochstim (Star) vs. Hen-Wil-Hen Corp. (Park, Playhouse, Rialto). Dismissal of overbuying charge for new season is affirmed on grounds that complaint is premature but without prejudice to complainant to reinstate case if justified later.

Sussex, N. J.—Sussex Amusement Co. vs. Strand and Ritz, Port Jervis, N. Y. Port Jervis clearance over Sussex limited to 14 days.

Macomb, Ill.—M. Ewing, LaHarpe, Ill., vs. Andrew Hainline, Macomb. Chicago clearance and zoning board's ruling reducing Macomb clearance from 14 days to seven days is affirmed.

New Orleans—Paramount Pictures Dist. Corp. vs. R. J. Burnett (Imperial). Paramount complaint of non-fulfillment of contract by Burnett is dismissed.

Cooperstown, N. Y.—William C. Smalley vs. Schine Enterprises, Gloversville. Overbuying complaint against Schine referred back to Albany grievance board for rehearing.

Norfolk, Va.—Lichtman Theatres protest to Washington clearance and zoning board. Local board's decision is affirmed.

San Francisco—M. L. Markowitz (Davies) vs. Mason-Ellis Corp. (Casino). Grievance board's finding in complaint of reduced admissions at Casino is affirmed with the modification that free parking service is not a violation of the code lottery and prize scheme clause.

Indianapolis—Harry Nagel (Dream) vs. Northern Theatres, Inc. (Rivoli). Grievance board's finding in reduced admission complaint against the Rivoli is affirmed.

The Campi appeal committee yesterday heard the overbuying complaint brought by the Broadway, Council Bluffs, Ia., against Fox West Coast's Strand and Liberty, and the reduced admissions complaint brought against the Orpheum, Fairfield, Neb., by the KMMJ Radio Theatre, Clay Center, Neb. Both cases were appeals from Omaha grievance board rulings. The Campi appeal committee, of which Ed Kuykendall was chairman, reserved decision. Other members of the committee were Leon Rosenblatt, exhibitor, and Willard C. McKay of Universal, distributor.

Another appeal hearing will be held today with W. C. Michel of Fox as chairman of the committee.

Petersburg to Get Film with Richmond

Washington, July 17.—Three cases have just been decided by the clearance and zoning board.

The board ruled that Richmond's 14 days over Petersburg were unreasonable, and decided that Richmond first runs should have no clearance at all over Petersburg. The case was brought by the Blue Bird against Loew's and Wilmer & Vincent.

Clearance of 14 days afforded the Palace and Ritz, Baltimore, operated by Louis Gaertner, over John H. Whittle's Avenue was determined to be fair. The Avenue was also determined to be in the same zone with the Belnord, Red Wing and State, operated by the Durkee interests. The Belnord and State are entitled to 14 days over the Avenue, it was decided, and the Red Wing will have prior run only and no clearance over the Avenue.

Wood Will Send Out Ohio Release Lists

Columbus, O., July 17.—In order that exhibitors may take advantage of the 10 per cent cancellation clause within the 14-day limit after national release date, as specified in the code, and to obviate the necessity of conferring with the exchanges to secure information on releases, P. J. Wood, business manager of the I. T. O., hereafter will issue a bulletin to all exhibitor-members. These will reach the addressees on Monday of each week, and will contain a list of pictures to be released during the current seven days.

Lists of releases will be certified to Wood by the code secretaries at Cleveland and Columbus.

Denver Code Ukase Received by Campi

The manifesto signed by 36 of 40 exhibitors in the Denver metropolitan area declining recognition of Code Authority and local code boards until "home rule" in exhibition affairs is granted was received at Campi headquarters yesterday.

"A reply to the manifesto will be made within a few days," John C. Flinn, executive secretary of Campi, said, "and will be made public at that time."

Protest French Ban

Paris, July 17.—Protesting vigorously against taxation designed to exclude American made films from France, the French Cinema Owners' Ass'n. has asked the minister of commerce to permit more American films to enter this country instead of further limiting the quota as demanded by French producers.

Percentages, Unclean Films Hit By KMTA

(*Continued from page* 1)

vice-president. The following were elected directors for Kansas: E. B. Danielson, Russell; Sam Blair, Belleville, and A. F. Baker, Kansas City, Kan. Missouri directors were elected as follows: Frank Weary, Richmond; Edwards and Mrs. A. Baier, Kansas City, Mo.

H. R. Biechele, K. M. T. A. secretary-treasurer, who was chairman, stressed the necessity of a strong organization in view of impending legislation in Kansas for a state sales tax and in Missouri for an amusement tax.

Other speakers were Lester Martin, secretary of Allied of Iowa and Nebraska and Judge Emmett Thurman, counsel for the Rocky Mountain Theatre Owners' Ass'n.

Also adopted was a resolution opposing M-G-M's invasion of the trailer field and another, introduced by C. A. Schultz, head of Commonwealth Theatres, calling on Division Administrator Sol A. Rosenblatt to give code assentors action on labor complaints against violating exhibitors.

Upholds Food Show Plan

St. Louis, July 17.—The local grievance board has ruled the revised plan for the food show conducted by the Rialto, Granite City, Ill., does not constitute a lottery or violate the code. Gaylord W. Jones, operator, testified yesterday it was not necessary to buy a ticket or attend the theatre to win a merchandise prize.

Para. Wins Cincy Case

Cincinnati, July 17.—Paramount has won an arbitration case involving failure to play or pay for pictures under contract against Leo Stephany, operating the Music Hall, Newport, Ky., across the river from here.

Johnson on Code

Hollywood, July 17.—Administrator Hugh Johnson is scheduled to deliver an address in the Hollywood Bowl Friday. His subject matter is expected to touch on films and the NRA code.

The Leading
Daily
Newspaper
of the
Motion
Picture
Industry

MOTION PICTURE DAILY

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VOL. 36. NO. 15 NEW YORK, THURSDAY, JULY 19, 1934 TEN CENTS

Triples Back In Fight for Kid Business

Neighborhoods Reverting To Policy for Summer

Triple features are again in vogue at neighborhood theatres for the summer months.

With schools closed, exhibitors are making a grand stand play for juvenile attendance.

Where heretofore duals and one or two shorts have been making up the majority of independents' programs, exhibitors are eliminating shorts for a third feature, booked in for the first two shows.

Westerns and outdoor attractions usually are booked as the third feature. Exhibitors find triples good business getters for children and even book them on holidays.

Para. Trustees Join In Revision of Suit

Charles D. Hilles, Eugene W. Leake and Charles E. Richardson, Paramount Publix trustees, are made parties to a revised action against the 1931-32 directors of the company to recover $13,600,000 expended in the repurchase of stock issued in the acquisition of theatres.

Revision of the action, originally filed in May, was necessitated by the change in the legal status of Paramount Publix and the trustees under the new bankruptcy laws. Defendants in the action, who were directors of Paramount when the repurchases were authorized, are required to file an answer within the next few weeks.

Schwartz and Seider Pool Plan Cools Off

The contemplated pooling of the A. H. Schwartz and Joseph Seider Long Island houses, virtually set 10 days ago, has cooled and probably will not be consummated, it was learned yesterday.

Approximately 40 houses were involved in the proposed pool, 21 of which are embraced by Seider's Prudential circuit and the remainder in Schwartz's Century circuit.

ITOA Laying Plans To Fight Campaign

Developments in the church campaign against films were discussed yesterday at the regular meeting of I. T. O. A. here and plans will be

(*Continued on page 6*)

The Decency Campaign— Inside and Out

By MARTIN QUIGLEY

WHEN in recent weeks the current campaign of protest on motion pictures became discernible in the huge proportions it had assumed, the motion picture industry found itself at the bar of public opinion, confronted with the severest test it has encountered in its whole history.

That such a test should finally have arrived was a matter of very little surprise to many persons in the industry, including the writer, who during many years and on innumerable occasions in these columns has called attention to the gathering of the storm clouds. The warnings from this and many other sources, inside and outside the industry, were largely disregarded. Hollywood continued to make some pictures which were violently at conflict with the requirements of mass entertainment and—what was considerably worse—to include in many otherwise wholesome films sequences and bits of dialogue which reeked with vulgarity and obscenity.

Many persons in the production branch of the industry proved, virtually to the satisfaction of everyone except themselves, that they had fallen distinctly out of step with the march of public opinion. An increasingly larger proportion of the product became out of tune with the thoughts, tastes and habits of the American public. Exhibitors everywhere, through their intimate contact with the general public, reported an increasing resentment. The industry's income suffered and except for the tremendous attraction of the motion picture which had long since been the public favorite amusement, it would have suffered a great deal more. Private protest was rampant. Finally a vast public protest, through the Legion of Decency campaign, became both distinctly audible and distinctly articulate. The rising tide of resentment against invasion of Amerian morality had found effective expression. Catholic organization and unity had given voice to a national reaction. The wonder is not that this public protest finally arrived, but rather that it did not arrive sooner.

More Intelligence and More Decency Could Have Averted Hurt to Industry

The industry has been hurt and hurt severely—not only in the loss of possible immediate revenue but also in the loss of a vast public goodwill. There has been a loss not only of much goodwill but also another loss in the fact that much of the enormous public interest in motion pictures, which does so much to keep alive the theatre-going habit, has been diverted in the direction of critical and destructive discussion.

All of this is unfortunate, extremely so, especially because it might so easily have been avoided had there been a little more intelligence in many places and a little more common decency in some places.

Those whose recalcitrance made possible these hurts to the industry, which could not have been inflicted had not the industry permitted itself to become vulnerable, have no cause to complain. Their stubbornness against advice, their wily escapes from safeguards which authorities of the industry were attempting to arrange about them not only made possible but welcomed the national protest and its attendant consequences.

For more than four years the industry has been publicly committed to a reasonable and workable plan of self-regulation. Throughout all of this time Mr. Will H. Hays and his assistants

(*Continued on page 4*)

Most of New Code Signers Already Paid

Had Sent in Assessments To Get Cancellations

Exhibitors who are taking advantage of the final opportunity for signing assents to the code are largely those who have paid their code assessment in order to obtain the 10 per cent cancellation privilege, it was stated yesterday at Campi headquarters.

Approximately 350 exhibitors paid assessments to obtain the cancellation privilege without signing the code. The bulk of these are now filing their assents with the reopening of code signing.

A Campi appeal committee consisting of W. C. Michel, chairman; Frank McCarthy and Joseph Seider heard

(*Continued on page 8*)

New Companies Get 3 St. Louis Houses

ST. LOUIS, July 18.—In furtherance of their plans for the rehabilitation of the Ambassador, Missouri and Grand Central interests represented by the bondholders' protective committees have formed new corporations to hold the properties. The companies are the Ambassador Building Corp. and the Missouri Theatre Building Corp.

They propose to lease the theatres to operating companies being organized by Allan Snyder and Harry Koplar. The operating companies are

(*Continued on page 8*)

Must Get First Run Showings-Johnston

BUFFALO, July 18.—"We must have first run showing in every town this season," W. Ray Johnston, president of Monogram, declared during a visit here.

Johnston, accompanied by C. King Charney, American distributor of Agfa film, stopped off to see Jack L.

(*Continued on page 8*)

Frisco Houses May Reopen on Friday

SAN FRANCISCO, July 18.—While the general strike here appears to be showing signs of collapse, theatre executives have agreed not to reopen their houses until word comes from the Central Labor Council that they may do so. It is predicted local theatres will be relighted Friday. The strike is causing the general re-booking of films.

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Clyde W. Simons Dead

LAS ANIMAS, COL., July 18.—Clyde W. Simons, owner of the Simons here, died in Pueblo, Col., where he had gone for treatment. He is survived by his wife, Dorinda, and two children, Robert and Doris.

Oregon Managers Shift

PORTLAND, July 18.—Ernest A. Rose, former assistant manager of the Orpheum, Spokane, has been named manager of the State. Russell Brown, former manager of the State, becomes manager of the Orpheum.

Extend Fox Receivership

The Fox Theatres Corp. receivership was extended six months to Jan. 22, 1935, by Federal Judge Martin J. Manton yesterday. William Atkinson continues as receiver.

M-G-M Borrows Brent

HOLLYWOOD, July 18.—M-G-M has borrowed George Brent from Warners for the lead opposite Greta Garbo in "The Painted Veil."

Paramount Signs Landi

HOLLYWOOD, July 18.— Paramount has signed Elissa Landi to a long term contract. Her first will be "Enter Madame."

Plan Northwest Circuit

PORTLAND, July 18.—Paul R. Aust and others have incorporated Independent Theatre Owners, Inc., for the purpose of operating a circuit.

Jury Again Refuses Memphis Indictment

MEMPHIS, July 18.—A double wedge has now been driven in the fight for Sunday shows, as the Grand Jury has refused for a second time to return an indictment against Charles Mensing, Orpheum manager, for his Sunday sandwich show.

All downtown houses were open last Sunday. Warners, Loew's State and Loew's Palace opened with a $50 guarantee each to the Memphis Community Fund and with no sandwiches. Col. Cecil E. Vogel, Loew city manager, and William Hendricks, Warner manager, were arrested with Mensing.

M-G-M Trailers Hit By KMTA Resolution

Resolutions objecting to M-G-M's proposed distribution of its own trailers next season were adopted at the K.M.T.A. convention in Kansas City, and were wired in full to the MOTION PICTURE DAILY by A. F. Baker, president.

The resolutions say no question of quality is involved and that the trailers will be an increased expense to exhibitors. Members are urged to resist "any attempt on the part of M-G-M to force the sale of their trailers with features."

"Happy Returns" Top Of Herald Champions

July "box-office champions" picked by the *Motion Picture Herald* are headed by "Many Happy Returns." There are seven on the list.

The other six are: "The Thin Man," "Little Miss Marker," "Little Man, What Now?" "Operator 13," "Glamour" and "Smarty."

Bernhard to Distribute

LONDON, July 18. — Negotiations are pending, according to Fred Bernhard, who recently returned from a five-week trip to New York, whereby he may return to distributing. He has succeeded in locating a lineup of independent American product, he claims, and should the deal materialize, three-quarters of his concern's product will be provided by America.

Mississippi Group Forms a New Ass'n.

JACKSON, MISS., July 18.—The Mississippi M. P. Theatres Ass'n. has been formed here with R. X. Williams of Oxford as president.

Leaders in the new organization hope to maintain friendly relations with Tri-State and the M.P.T.O.A., since Williams is secretary-treasurer of Tri-State.

Other officers elected were: Vice-president, J. A. West, Philadelphia; secretary-treasurer, Earl Elkins, Aberdeen. Another meeting has been set for October.

Formation of the association was due to a belief of Mississippi exhibitors that they should have an organization confined to the problems of their own state.

"U" Office Abroad Is Moved to London

Universal is shifting continental headquarters to London and, at the same time, has withdrawn from Germany. Max Friedland, Berlin manager, will handle European supervision from London.

United Artists was the first major company to concentrate continental control in London under Maury Silverstone. Warners was the first company to step out of Germany, as reported in MOTION PICTURE DAILY from the company's Atlantic City regional meeting some weeks ago.

Bergner as "Joan"?

LONDON, July 18.—Elizabeth Bergner will essay the lead in George Bernard Shaw's "St. Joan" next season for C. B. Cochran, according to local report. Shaw is also said to be revising the play for film production.

Katharine Hepburn originally was slated to do "Joan of Arc" for Radio next season, but the picture has been set back and may not be made at all.

Mitzi Green Returning

HOLLYWOOD, July 18.—Mitzi Green, now 16, will make her return to pictures after a long absence in an ingenue role in Reliance's "Transatlantic Merry-Go-Round," which United Artists will release.

Eastman Up 3⅛ on Big Board

	High	Low	Close	Net Change	Sales
Columbia Pictures, vtc	28⅝	28⅛	28⅝	+1¼	500
Consolidated Film Industries	3	3	3	.....	100
Consolidated Film Industries, pfd	12½	12	12	— ½	600
Eastman Kodak	101⅛	100⅛	101⅛	+3⅛	400
Fox Film "A"	11½	11½	11½	.....	300
Loew's, Inc.	27⅞	27	27¾	+1	500
Loew's, Inc., pfd	90½	90½	90½	.....	100
Paramount Publix, cts	3½	3⅜	3⅜	.....	800
Pathe Exchange	2	1⅞	1⅞	.....	300
Pathe Exchange "A"	19¼	19⅛	19⅛	+ ½	100
RKO	2⅛	2	2	— ⅛	600
Warner Bros.	4⅝	4½	4½	.....	900

Technicolor Rises ½ on Curb

	High	Low	Close	Net Change	Sales
Technicolor	13⅝	13¼	13⅝	+ ½	300
Trans Lux	1⅜	1⅜	1⅜	.....	100

Paramount Bond Issues Decline

	High	Low	Close	Net Change	Sales
General Theatre Equipment 6s '40	7	6¾	6¾	— ¼	7
Keith B. F. 6s '46	67⅝	67¼	67⅝	+ ⅜	2
Loew's 6s '41, ww deb rights	100⅝	100⅝	100⅝	+ ⅛	10
Paramount F. L. 6s '47	47	47	47	—1⅜	1
Paramount Publix 5½s '50	46¾	46¾	46¾	—1	2
Pathe 7s '37, ww	99¾	99¾	99¾	.....	1
Warner Bros. 6s '39, wd	53¼	52½	52½	— ½	12

Purely Personal

LILLY MESSINGER, who has been in the Radio story department for the past four years, has been appointed English representative for the department. She will sail Saturday on the *Paris.*

CHRIS BUCKLEY, Albany first run operator, won't be telephoning friends late at night for some time now. JIMMY GRAINGER supplied the cure and can explain.

HERB CRUIKSHANK postcards regards from Stratford-on-Avon, made famous by a fellow named Will Shakespeare.

MRS. MARTHA FAIT, wife of Warners' general manager in Rio de Janeiro, arrives today on the *American Legion.*

AMBROSE S. DOWLING, European sales manager for RKO Export Corp., is in town. He arrived on the *Olympic.*

WESLEY EDDY will go back to the Roxy as master of ceremonies as soon as he finishes his current radio and stage engagement.

MORRIS KINZLER postcards fro Camp Horicon in the Adirondacks and describes himself as "ye olde vacationer."

VERREE TEASDALE is in town on a shopping trip prior to her marriage to ADOLPHE MENJOU.

HAROLD B. FRANKLIN is summering on the Connecticut shore, near Darien.

JOE E. GOLTZ, M-G-M manager in Montevideo, arrives today on the *American Legion.*

DAVE PALFREYMAN has acquired a new set of irons with which he is punishing Queens' fairways.

LOU BROCK, Radio associate producer, came in yesterday on the *Rex* from a European vacation.

ED KUYKENDALL left yesterday for his Columbus, Miss., home.

Two Join Mundus Staff

William G. Minder and John Franconi have joined the Mundus Distributing Corp. as sales representatives in the southern territory. Minder wil cover Charlotte, New Orleans an Atlanta, where he will make his headquarters. Franconi will cover the Dallas territory.

Goldwyn May Do "Oz"

HOLLYWOOD, July 18.—Having once cancelled "The Wizard of Oz," Samuel Goldwyn is withdrawing the story from the shelf and will make it this year, providing a treatment suitable for both child and adult audiences can be worked out. Tests of key players are under way.

Sets Up First Run

Monogram reports first run deals closed for "Jane Eyre" at Warners' Carleton, Philadelphia; the Stanley, Atlantic City, and the Uptown, Kansas City.

N. L. Nathanson Sailing

TORONTO, July 18.—N. L. Nathanson, president of Famous Players Canadian Corp., sails for England on August 4.

Vitagraph, Inc., Distributors

"Sunday School Mien" No Need

Envisions No Serious Check On Film Types

(*Continued from page* 1)

have labored earnestly and vigorously to obtain reasonable conformance with the requirements of the plan. Company heads have issued order and order, but various persons in the Hollywood colony made it their business to evade and to circumvent the regulations. The only code to which their conduct indicated a real allegiance was a code under which they would make pictures to suit themselves, and the decent public be damned.

And now there is chaos and confusion—not in the councils of the industry but in certain quarters of its production branch. In the councils of the industry the road ahead is clear and distinct. The industry's product needs regulation and it is going to get it. Those who have in the past been eloquent in their excuses for non-conformance, and clever in their evasions of the rule to which the industry is committed, are going to be shown the way to follow in their work or—the way out of it.

Some of the chaos and confusion which exists is legitimate and inevitable. The uncalled for vehemence which has characterized some of the public criticism of the industry has created a state of nerves among many persons engaged in production who have little knowledge of the moral values of public entertainment and the effects of entertainment on the public mind. In this lack of knowledge these persons are by no means curiosities alongside of the general run of humanity.

Because motion pictures happen to entail a definite moral significance there is no good reason for assuming or expecting all persons engaged in producing them to have more than an average understanding of the laws of morality—and this existing average is by no means high, whether one examines the field of motion picture production or any other field.

What many of the recent "over-night experts" on the question of the moral character of motion pictures do not seem to understand is that even if through some miracle all of the producers suddenly became possessed of ideas identical with theirs, and immediately proceeded to determine that all pictures should be produced accordingly, still in the resultant pictures the principles aimed at would not be uniformly maintained. Such is the nature of the complex and difficult business of producing motion pictures.

Many persons, who are now gravely concerned over the subject matter of pictures, appear determined to assume that any and every transgression against the moral law which has appeared in pictures has been placed there designedly. Some even go so far as to insist that Hollywood has been conducting an organized campaign to ruin the morals of the nation. These unsound and unreasonable views, when publicly aired, serve not to hasten the day when pictures will maintain a higher moral standard; but rather to create a state of confusion and distrust which renders an early and adequate solution of the problem more difficult.

Almost tragic consequences already are to be noted arising out of the inconsistencies appearing in lists of condemned pictures which have been widely published.

These efforts are a sad reflection on both the intelligence and fairness of their sponsors. If one did not know better, the only tenable explanation of these inconsistencies would be that persons responsible for them were floundering helplessly in a morass of confusion and misunderstanding as to what actually constitutes and determines moral values.

It would seem that these persons do not possess even a penny catechism education as to what is right and what is wrong in the moral values of public entertainment.

The almost tragic consequences referred to are the state of mind created among many producers and its incidental confusion and misunderstanding.

They have been looking to those who are, or think they are, spokesmen for the campaign of protest for guidance as to what they want.

Not all of them understand very clearly abstract moral arguments but all of them do understand very clearly the subject of motion pictures.

Deplores Sporadic Listing of Films

They want to know what kind of pictures are wanted and they want the reply expressed concretely in the naming of pictures.

But instead of receiving this sort of guidance, to which they are eminently entitled, they find authorities in one locality listing as acceptable a certain picture and in an adjoining territory the equivalent local authority condemning the same picture.

Local authorities may revel in the consciousness of their unquestioned authority to do precisely as they see fit but meanwhile they may well realize that they are seriously jeopardizing the objective which both they and the authorities of the motion picture industry are commonly interested in—perhaps from different motives but still commonly interested in; namely, the maintenance of right moral standards in motion picture entertainment.

One leading producer recently stated:

"The situation looks desperate to me. I feel that I might just as well ignore what these campaigners are asking for even though they will probably put me out of business in the long run for fighting them. The way I figure it is this: They want me to make only wishy-washy, milk and water kind of pictures and I know as a showman if I do this the theatre-goers will put me out of business. So any way I look at it I seem to be licked."

Outlines Material Regarded Suitable

The expressed attitude of this producer is perhaps not typical of the attitude entertained by many producers but he is not entirely alone. In one degree or another the thought of this producer has penetrated widely throughout the industry. If some of the thought and effort which has been devoted to just a plain bawling out of the picture business had been devoted to a simple and authoritative statement of what the legionaires of decency want the cause of better pictures would have been materially advanced at this point.

What the crusaders want and what they are entitled to have from the motion picture industry are pictures which are not subversive of individual morality.

They do not want the motion pictures geared to the mentality of a fourteen-year-old child.

They do not object to red-blooded, virile drama.

They are quite definitely aware of the fact that there is sin in the world and the sinner and his sin may be treated dramatically.

They do insist, however, that the sinner shall not be made to appear as a saint; neither that the saint shall be depicted as the sinner. While they hold that there are certain facts of life which are not proper subject matter for theatrical treatment, they object to no legitimate dramatic

Scores Those Who Seek to Foist Censors

situation, provided only that when moral delinquency is depicted it is used to tell the story or to establish the character and not for the purpose, or in the manner, of presenting a lustful exhibit. They do not think that dancing girls should be clad in coonskin overcoats but they are equally positive that there is a reasonable limit to the exposure of the feminine form in public entertainment.

They know that when this reasonable limit is transgressed it is done less for art's sake than for reasons which need no detailed exposition here.

Out of the temper of the day it perhaps is inevitable that many persons concerned with production should imagine—in the absence of exact knowledge of their own and in the presence of confused and vague assertions on the part of complainants—that the theme province of the motion picture will have to be seriously restricted in order to conform with popular demand and that they will be expected generally to assume in their work a Sunday-school mien.

This, definitely, is not needed and not expected. Every reasonable demand as to the character of pictures may be answered and there will still remain all of the scope that is necessary or desirable in the selection of themes and in the writing of treatments.

It now appears that many custodians of the public welfare who for many years quite neglected to take the motion picture and its social consequences seriously—when they well might have done so, meanwhile learning something of the size and complexity of the question—have suddenly blossomed out, in the warming light of the vast publicity which has been directed toward motion pictures, with rather detailed plans as to what should be done about it all. Unfortunately, most of these plans are predicated on such ignorance of the fundamentals involved that they serve at this time only to delay and handicap the movement toward the commonly desired objective.

In the face, for instance, of a long record of municipal and statewide censorship of motion pictures in which the accomplish-

(*Continued on page* 5)

Urges Patience, Understanding

Necessary in Accomplishing Moral Rebirth

(Continued from page 4)

ments have been virtually nil we find many of the overnight experts sxultant in the thought that they have hit upon a solution of the problem and the solution which they urge is that the clumsy and not too honest or genuine hand of political censorship be laid upon the motion picture.

If the industry were not seriously inclined to win and retain the goodwill of the intelligent leaders of public opinion it might welcome censorship as a means of quickly putting an end to many of its past and current difficulties.

Under censorship the industry could conduct its dealings with the political appointees of the censor board to whom the public would be politely advised to address their grievances. The standards of the boards would be the varying standards of the day, subjected to such modification from time to time as the well-organized and exceedingly active political minorities could effect.

Then there are those proposed solutions of the problem which are predicated on the introduction in various localities of specialized procedure. These lose sight of the fact that the motion picture industry is a nationally operating institution and that it can no more enter into specialized arrangements for particular localities than it could entertain propositions to enter into similar compacts with particular groups, associations and societies. These, also are distinctly un-catholic in character because they assume that the public in one locality is entitled to have or needs to have pictures different from those which the public in every other locality is entitled to have and needs to have. The principles which the industry is committed to maintain in its motion pictures are universal in character and changeless as to the passing of time. The resultant pictures will be and must be equally as acceptable in one place as in another.

The whole public and not some particular segment of it must be served and in a uniform manner.

The only workable and reasonable attack on the problem is the one which comprises the proper regulation of the product at the source of its production. This obviously can only be done by those who control production. And even though it were possible to interject some other influence at the source of production—or at any other point between the studio and the screen—the authority which is the producer's should be left with him and, more especially, the responsibility should be left with him.

The effort of those who control production, to adjust the character of the product in keeping with sound and reasonable ideas of morality is not a new effort. Nearly a quarter of a century ago, in the midst of the infancy days of the industry, the National Board of Review was organized. It is true that it failed to accomplish the desired results but the record remains as proof that the industry recognized its responsibility and sought to discharge it.

Cites Code Effort Launched in 1930

When Will Hays some twelve years ago entered the industry he immediately proceeded to draft certain regulations governing the moral character of pictures. These regulations were found to be inadequate and even in their inadequacy they failed of effective application. But still the effort was made.

In 1930 through the Production Code of Morals the industry entered upon the soundest and broadest plan of regulation which had ever been thought of or attempted in the whole history of theatrical entertainment. Demonstrable results of enormous proportions were accomplished through this Code. Those who deny this fact are exposing themselves to the charge of simply not knowing what they are talking about. It is true that while this Code as applied from 1930 to date accomplished much it did not accomplish enough. But to hold the industry alone accountable for failure to accomplish adequate results is in the first place neglecting to consider the frailty of man and in the second and many subsequent places it is neglecting to understand that the Code did not have active support of a sufficiently interested public opinion; that the source material of the producer was constantly becoming muddier through the lowering of moral standards in the popular novel and stage play and that many millions of our fellow citizens, including great numbers among the ecclesiastical followers of those who are now the industry's chief critics, concerned themselves not at all with the moral significance of motion pictures and did in fact freely tolerate those types of pictures against which complaint is now being made.

Tolerance Towards Industry Is Urged

The motion picture industry can do much and will do much but it cannot perform miracles. If the desired objective is to be attained there must be patience and a sympathetic understanding of the industry's methods, problems and efforts. The fact that such patience and such sympathetic understanding is entertained in the highest councils of the campaign of protest is a brilliant ray of hope illuminating the prospect of a great accomplishment to the end of enabling the motion picture consistently to be a healthy influence on the character of the people and at the same time rendering the industry a healthier and more secure business.

The motion picture needs the intelligent guidance of a uniform and united public opinion. The great objective of the aroused public opinion in the question of the moral character of motion pictures is being jeopardized by the lack of such uniformity.

The problem is common to all people everywhere. Methods of correcting the evils which will be effective at all will be effective everywhere. Great numbers of the public can be kept away from motion pictures for the time being and perhaps indefinitely. But such procedure would only be indicated if the motion picture were an evil thing, which it is not. Hence any campaign which has no objective other than to keep people away from motion pictures is not reasonable, nor just. Such campaigns which have been undertaken obviously must be intended somehow to influence the producers who have the authority and also the responsibility over the character of the product.

That the producers have been influenced is a matter of public record. What they propose to do now, in a uniform, national manner toward discharging their responsibility is likewise a matter of public record. The quality of their good faith is naturally something that only time will tell. However, the quality of their plan, its soundness, its thoroughness and its workableness is something susceptible to immediate proof.

If, then, the plan is what it is represented to be—and if it is the soundest and safest means of reaching the desired objective—those genuinely interested in its accomplishment should see to it that the necessary support of public opinion is maintained; that the necessary help and encouragement is extended and that amateur tinkers are not allowed to imperil the achievement of a great moral victory.

Reprints Available

Reprints of Martin Quigley's editorial, "The Decency Campaign—Inside and Out," will be available for a limited period at 10 cents a copy, or $5 a hundred.

Pastor Gives Films Blame for Drought

Kansas City, July 18.—Films have been blamed for many things, but it remained for Rev. Alvin G. Hause to charge them with responsibility for the summer-long drought.

Calling all who believe in the efficacy of prayer to gather at his Bales Baptist church here for the purpose of praying for rain, the reverend declared the seared fields and crop destruction by insects this summer is punishment by God for the nation's transgressions. Among these he listed: "Filth in our movie theatres; cheap, lurid and often immoral magazines filling our newsstands."

Buffalo Councilman To Ask Film Action

Buffalo, July 18.—A resolution placing the Buffalo city government on record as joining the clean films movement will be presented to the Common Council July 24 by Councilman-at-Large Martin O. Bement. The resolution says in part:

"Those of us who have small children and all of us who are endeavoring to lead clean and respectable lives have come to the conclusion that the day has passed when movie producers shall fatten their wallets by turning out inferior products that appeal only to the baser elements."

Columbus, July 18.—"The Legion of Decency has won its fight for clean motion pictures," said Monsignor Henry Grimmelsman, rector of the Pontifical College Josephenium here and chancellor of the Council of Bishops of the American hierarchy, in speaking before the convention of the state branch of the Catholic Central Society in session at Allentown, Pa.

Iowa Houses Opening

Des Moines, July 18. — Iowa theatres are opening. Latest on the list are: Monte, Monticello; Palace, Extra and Pell, Pella.

Clean Film Drives Draw Writers' Fire

Hollywood, July 18.—The Screen Writers' Guild and the Authors' League of America yesterday loosed a counter-blast against certain phases of the present campaign against indecent films. "Ax grinding of special interests," was charged.

The writers expressed resentment at "the intemperance, hysteria, injustice and in some cases outright falsehood which characterize certain expressions" of the protests against "evidences of vulgarity and bad taste" in pictures.

A statement issued by heads of the writers' organizations said, in part, "the zeal of reforming bodies always remains unsatisfied until it has reached the point where it may order the American people as to what they may or may not see."

ITOA Laying Plans To Fight Campaign

(Continued from page 1)

formulated at next Wednesday's meeting for exhibitor action in connection with the campaign.

It was stated at the meeting that Lowell Mason, former counsel for the NRA Review Board, will discuss the church campaign on WOR, tomorrow evening.

Kansas City, July 18.—With issuance of a Legion of Decency call by Bishop Francis Johannes of the Leavenworth diocese, the campaign against objectionable films is making rapid headway among Catholics in Kansas. Bishop Johannes is the third head of a diocese to enroll in the movement in Kansas-western Missouri. Two bishops in this territory are still to be heard from, those at Wichita, Kan., and St. Joseph, Mo.

A tentative report on the Legion of Decency progress in Kansas City, Mo. which is in the diocese of Bishop Thomas F. Lillis, indicates that close to 20,000 pledges have been signed in the city proper. More than 3,000 signed pledges have been turned in at St. James Church, the largest Catholic parish here.

St. Louis, July 18.—Archbishop Glennon estimates 300,000 Catholics in this diocese have signed the Legion of Decency pledges. He says a conference of parish leaders will be called later in the year to discuss the situation from every viewpoint.

Discussing recent Hollywood developments, the archbishop said: "I hope they will fulfill their promises, yet I hesitate to make a prediction in view of what has happened in the past. You must remember the motion picture producers have had codes and censors, yet neither has succeeded in eliminating vulgar films."

Richmond, July 18.—Latest to join the church film drive is the Baptist Young People's Union of Virginia. Presbyterians and Methodists have already followed the Catholic lead.

Marietta, O., July 18.—"Clean" and "unclean" film lists are to be issued here by joint Catholic and Protestant action under a plan being worked out by Rev. Fr. Robbin and Rev. Maxwell Hull.

Lakeside, O., July 18.—Seeking only good pictures and boycotting undesirable ones is the way to settle the film problem, according to resolutions adopted by the Luther League convention here.

Use Stickers Now

Detroit, July 18.—Over 20,000 auto windshield stickers reading: "We Demand Clean Movies" have been distributed throughout the Catholic churches in metropolitan Detroit.

They were issued by the *Michigan Catholic*, diocesan newspaper.

"Bondage" Is Washington's Two-Day Stir

Washington, July 18.—In a week of falling grosses "Of Human Bondage" was the only attraction to stir up any excitement here. In two days at RKO Keith's it piled up $5,300, more than "Let's Try Again" was able to catch in the first five days of the week.

"Private Scandal" topped par by $200 at Loew's Columbia by grossing $3,300. "The Thin Man" fell off to $8,800 in its second week at Loew's Palace, but was held for a third. Business elsewhere was below normal.

Total first run grosses were $60,900. Average is $71,200.

Estimated takings, exclusive of tax, for the week ending July 12:

"SHOOT THE WORKS" (Para.)
EARLE—(2,218), 25c-77c, 7 days. Stage show. **Gross:** $16,500. (Average, $17,600)

"PRIVATE SCANDAL" (Para.)
LOEW'S COLUMBIA—(1,265), 25c-40c, 7 days. **Gross:** $3,300. (Average, $3,100)

"MURDER IN THE PRIVATE CAR" (M-G-M)
LOEW'S FOX—(3,434), 25c-66c, 7 days. Stage show. **Gross:** $18,300. (Average, $20,500)

"THE THIN MAN" (M-G-M)
LOEW'S PALACE—(2,390), 35c-77c, 7 days, 2nd week. **Gross:** $8,800. (Average, $14,500)

"THE GREAT FLIRTATION" (Para.)
METROPOLITAN—(1,591), 25c-40c, 7 days. **Gross:** $3,500. (Average, $4,100)

"LET'S TRY AGAIN" (Radio)
RKO-KEITH'S—(1,850), 25c-55c, 5 days. **Gross:** $5,200. (Average, 7 days, $11,400)

"OF HUMAN BONDAGE" (Radio)
RKO-KEITH'S—Two days. **Gross:** $5,300. (Average, 7 days, $11,400)

Canadian Loew Unit Shareholders Argue

Toronto, July 18.—Shareholders of Loew's Canadian theatres companies adjourned until July 27 after a stormy meeting here today. At that time, they will meet with directors in an effort to iron out difficulties arising from the demand by protesting groups for a dividend declaration.

Evergreen Men Coming

Seattle, July 18.—Frank L. Newman, Sr., and Al Finkelstein, guiding executives of Evergreen State circuit, have gone to New York for the annual booking session of circuits affiliated with Fox theatres. Al Rosenberg, third partner in the circuit, remains here to supervise operations throughout the territory.

To Rule on Bank Nights

Kansas City, July 18.—The grievance board on Saturday will resume deliberations on evidence presented at an open hearing this afternoon on charges that bank nights constitute a lottery and are therefore a code violation. A decision may be rendered at that time.

"Groom," Baer $19,000 Top, Philadelphia

Philadelphia, July 18. — Though the $19,000 grossed by Max Baer in Person and "Here Comes the Groom" on the screen at the Earle was below expectations, it still gave the house its biggest intake in weeks and raised the general gross for the week.

The weather break was somewhat better, but the church ban took a heavy toll. The Fox topped its average with "Charlie Chan's Courage" and a stage show, but the rest of the houses came in under the mark.

Total first run business was $51,450. Average is $48,900.

Estimated takings for the week ending July 12:

"HEART SONG" (Fox)
ARCADIA—(600), 25c-40c-50c, 6 days. **Gross:** $1,750. (Average, $2,400)

"HERE COMES THE GROOM" (Para.)
EARLE—(2,000), 40c-55c-65c, 6 days. Stage: Max Baer and revue. **Gross:** $19,000. (Average, $12,000)

"CHARLIE CHAN'S COURAGE" (Fox)
FOX—(3,000), 30c-40c-60c, 6 days. Stage: Herb Williams, Ivy and Neecie Stevens, Captain Willie Mauss. **Gross:** $13,000. (Average, $12,000)

"MOST PRECIOUS THING IN LIFE" (Col.)
KARLTON—(1,000), 30c-40c-50c, 6 days. **Gross:** $2,400. (Average, $3,500)

"SHOOT THE WORKS" (Para.)
STANLEY—(3,700), 40c-55c-65c, 6 days. **Gross:** $9,500. (Average, $12,000)

"MURDER ON THE BLACKBOARD" (Radio)
STANTON—(1,700), 30c-40c-55c, 6 days. **Gross:** $5,800. (Average, $7,000)

Hollywood Sees No Spread of Strikes

Hollywood, July 18.—Possibilities of a general strike here in sympathy with the San Francisco walkout are regarded as very remote, but studios are stocking up with surplus materials to be prepared for any emergency.

Union leaders are not talking strike.

Seattle, July 18.—Indications are that there will be no theatre closings in this territory as a result of present labor conditions.

7 Sign Writers' Code

Hollywood, July 18.—Seven major studios have signed the writer-producer code originally set up by the writers' branch of the Academy and which will be circulated beginning tomorrow. Signers are Harry Cohn, Winfield Sheehan, Louis B. Mayer, Emanuel Cohen, B. B. Kahane, Carl Laemmle, Jr., and Jack Warner.

Griffith Opening Two

Denver, July 18.—R. E. Griffith Theatres, Inc., are opening two new houses in New Mexico. They are the Rig at Hobbs, 500 seats, and the Cactus at Carlsbad, 700 seats.

Text of Protestant Pledge Is Released

The text of the Federal Council of the Churches of Christ in America pledge which Protestants will be asked to sign in the drive on objectionable pictures is as follows:

For Better Motion Pictures
DECLARATION OF PURPOSE
(Sign and give to your pastor or organization)

I wish to join with other Protestants, cooperating with Catholics and Jews, in condemning vile and unwholesome moving pictures. I unite with all who protest against them as a grave menace to youth, to home life, to country, and to religion.

I condemn absolutely those salacious motion pictures which, with other degrading agencies, are corrupting public morals and promoting a sex mania in our land.

I shall do all that I can to arouse public opinion against the portrayal of vice as a normal condition of affairs, and against depicting criminals of any class as heroes and heroines, presenting their filthy philosophy of life as something acceptable to decent men and women.

I unite with all who condemn the display of suggestive advertisements on billboards, at theatre entrances and the favorable notices given to immoral motion pictures.

Considering these evils, I declare my purpose to remain away from all motion pictures which offend decency and Christian morality. I will try to induce others to do the same.

I make this protest in a spirit of self-respect, and with the conviction that the American public does not demand filthy pictures, but clean entertainment and educational features.

Name ....
Address ....

That there may be a united front, the pledge of the Legion of Decency has been used with only slight changes. Organizations and individuals are free to formulate their own pledges. The important thing is not the form of a pledge but to keep its purpose.

(Issued by the Federal Council of Churches, 105 East 22nd Street, New York)

The pledge is in duplicate, with a copy going to the signer and another to the pastor or organization. The above is the part retained by the pastor or organization.

To Cancel in St. Louis

St. Louis, July 18.—Members of the local M. P. T. O. decided at a meeting yesterday to exercise the privilege of cancelling contracts on pictures held publicly objectionable. They agreed not to show five pictures proscribed by the Legion of Decency—"The Life of Vergie Winters," "Laughing Boy," "Born to Be Bad," "Kiss and Make Up" and "Here Comes the Groom."

These exhibitors will determine whether their theatres will extend the cancellations to include other films.

To Test Crooker Play

"Made in Heaven," a play by Herbert Crooker, assistant to S. Charles Einfeld at the Warner home office, will be given a tryout at the Caldwell Summer Theatre, Caldwell, N. J., starting July 23, under the auspices of Martin Berkeley and Paul Groll.

Fire on Franklin Estate

Belle Island, Conn., July 18.—A garage fire on the estate of Harold B. Franklin here early today did $15,000 damage. The blaze was discovered by Lois Moran, a guest of Arch Selwyn, whose residence is adjoining.

In and Out

Cleveland, July 18.—The Hanna, which opened Saturday with duals contrary to the single feature policy which became effective throughout Greater Cleveland on July 8, closed today.

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And countless other important items of reference will be found in the new 1934-35 Motion Picture Almanac—now on the press—$5.00 the copy.

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NEW YORK CITY

Most of New Code Signers Already Paid

(*Continued from page 1*)

three cases appealed from local boards yesterday. The cases were a complaint of reduced admissions filed by the Genesee, Buffalo, against the Commodore, Roxy, Columbia, Colonial, Rialto and Ellen Terry; a clearance and zoning complaint brought by the New Preston, Baltimore, against the Ritz, and appealed from the Washington board's ruling, and a reduced admission complaint by the Kenton, Portland, against the Roxy. Decisions on all three were reserved.

The Campi appeal committee meeting tomorrow will consist of Charles O'Reilly, chairman; Charles Rosenzweig and A. H. Schwartz.

Two Loew Valencia Complaints Dropped

Two clearance and zoning complaints against Loew's Valencia, Jamaica, were withdrawn by the complainants yesterday just prior to their scheduled hearing before the local board. No reason for the withdrawals was given.

The complainants were the Regent and Bay Shore at Bay Shore, and the Patchogue, Granada and Rialto at Patchogue. Their protests were directed at the seven days' protection given the Valencia on Paramount, M-G-M and United Artists product. All other product plays Bay Shore and Patchogue seven days after New York first run.

Coast Board Takes Stand on Lotteries

Los Angeles, July 18.—Following several decisions against bank nights, the local grievance board has taken an emphatic stand against such practices on the ground that they constitute a rebate in the form of a lottery and tend to lower admission prices.

It is also declared that they are unfair competition and violate the industry pledge to maintain the best standards of advertising and publicity.

Fitzgerald on Code

Richmond, July 18.—The procedure for filing and hearing complaints, grievances and protests before local code boards was explained to the M. P. T. O. of Virginia tonight by James B. Fitzgerald, secretary for the Washington boards.

Fitzgerald singled out six major portions of the code and outlined procedures involved in filing and hearing cases under those sections.

Cleveland Delaying

Cleveland July 18.—The local grievance board has ruled no decisions will be released for publication until rulings have been signed by all board members and parties to the protest officially notified. The reason is that on one occasion the board made a decision, announced it and subsequently changed its mind.

Gets New Emblem

The Code Authority of the periodical publishing and printing industry has issued to *Quigley Publications* an emblem symbolic of acceptance of, and compliance with, the Graphic Arts Code.

This emblem supersedes the Blue Eagle issued to *Quigley Publications* for compliance with the President's re-employment agreement. It establishes that *Motion Picture Daily* and the other Quigley publications are carrying out the hours and wage conditions of the code of the publishing industry and that they are complying with the code of fair trade practices adopted by the industry.

Important under the provisions for fair trade practice in the publishing code is a pledge of absolute editorial independence and a requirement that advertising rates comply with the registered rate cards of publications.

Trendle Complaint Goes Over 2 Weeks

Detroit, July 18.—Hearing on George Trendle's complaint charging interference by Lew Wisper in the transfer of a neighborhood house has been postponed for two weeks by the grievance board.

D. M. Robbins, Echo Theatre, has been authorized to continue advertising on his screen and through mailed programs on product to be exhibited within the following seven days. The practice had been challenged by Al Lane, Alhambra; Harold Munx, Tuxedo, and B. Nothworst, Regent.

He Was Excused

Los Angeles, July 18.—Robert Killeen, proprietor of the Rex in Phoenix, Ariz., was scheduled to appear before the Los Angeles grievance board at 2 o'clock in the afternoon. He arrived at 4 o'clock and discovered because of his tardiness the case had been dismissed. He then told of how he had made the trip all the way from Phoenix and was riding around town in a taxi looking for the office.

The excuse worked and now the board will give him another chance to present his complaint.

Detroit Zoning Set Soon

Detroit, July 18.—The new citywide zoning plan will be ready in a few days, according to E. S. Kinney, board secretary. A Grand Rapids schedule will follow shortly afterwards.

"Marker" at $7,500 Hits Seattle Top

Seattle, July 18.—"Little Miss Marker" took the lead here last week with $7,500 at the Fifth Avenue. Another good draw was "The Life of Vergie Winters" at $7,000 in the Music Hall.

"Little Miss Marker" will be given an extended run at the Coliseum and "The Life of Vergie Winters" will be held at the Music Hall.

Total first run business was $29,150. Average is $31,000.

Estimated takings for the week ending July 14:

"SHE MADE HER BED" (Para.)
"EMBARRASSING MOMENTS" (Univ.)
BLUE MOUSE—(950), 15c-25c-35c, 7 days. **Gross:** $2,850. (Average, $3,500)

"LITTLE MISS MARKER" (Para.)
FIFTH AVENUE—(2,450), 25c-40c-55c, 7 days. **Gross:** $7,500. (Average, $7,000)

"LET'S TALK IT OVER" (S. R.)
"TAMING THE JUNGLE" (S. R.)
LIBERTY—(1,800), 10c-15c-25c, 7 days. **Gross:** $3,400. (Average, $4,000)

"COCKEYED CAVALIERS" (Radio)
MUSIC BOX—(950), 25c-40c-55c, 7 days. **Gross:** $3,200. (Average, $4,000)

"LIFE OF VERGIE WINTERS" (Radio)
MUSIC HALL—(2,275), 25c-40c-55c, 7 days. **Gross:** $7,000. (Average, $6,500)

"NOW I'LL TELL" (Fox)
PARAMOUNT—(3,050), 25c-35c, 7 days. Vaudeville headed by Jeffrey Gill. **Gross:** $5,200. (Average, $6,000)

New Companies Get 3 St. Louis Houses

(*Continued from page 1*)

entering into a management arrangement with Fanchon & Marco. Harry C. Arthur of New York is expected to make St. Louis his headquarters to look after the five F. & M. theatres here. It is also rumored that F. & M. may acquire a number of other theatres in eastern Missouri and southern Illinois.

In the meantime the Shubert operated by Warners is being closed. The current report is that the actual closing may be moved up, although the original announcement made July 24 the dead line. Rumors persist that Warners are about to take over the Orpheum.

The Mercantile-Commerce Bank & Trust Co. has filed a foreclosure suit asking sale of the Shubert-Rialto Theatre Building. As trustees under a $200,000 deed of trust against the property, the bank alleges that principal and interest payments totaling about $50,000 are in default.

Must Get First Run Showings—Johnston

(*Continued from page 1*)

Berkowitz, head of the Standard exchange, Buffalo Monogram distributor. They were en route to Hollywood by motor.

"Negative costs will be far higher than ever before," Johnston declared, "which means not only that we need first run dates, but that first run exhibitors will need our type of product."

"U" to Star Baby Jane

Hollywood, July 18.—Carl Laemmle, Jr., plans to star Juanita Quigley, three-year-old find, within three months. He will also change her name to Baby Jane. She is now working in "Imitation of Life."

"Bondage" Is Big Holdover At Music Hall

"Of Human Bondage" maintained its strong pull in a second week at the Music Hall. The take was $73,000. This made $167,500 for the two weeks, which is big business at this time of the year.

Another holdover, "The Thin Man" at the Capitol, with Duke Ellington and his orchestra, was good for $24,500. "Baby, Take a Bow" hit $30,000 in its second week at the Roxy and was kept on for a third.

Estimated takings:

Week Ending July 10:
"STRICTLY DYNAMITE" (Radio)
RIALTO—(2,200), 25c-65c, 7 days. **Gross:** $9,000.

Week Ending July 11:
"OF HUMAN BONDAGE" (Radio)
RADIO CITY MUSIC HALL—(5,945), 35c-$1,65, 2nd week, 7 days. Stage show. **Gross:** $73,000.

Week Ending July 12:
"THE THIN MAN" (M-G-M)
CAPITOL—(4,700), 35c-$1.65, 2nd week, 7 days. Stage: Duke Ellington and orchestra and Harlem revue. **Gross:** $24,500.

"THE WORLD MOVES ON" (Fox)
CRITERION—(875), 55c-$1.65, 3rd week, 7 days. **Gross:** $5,400.

"HELL CAT" (Col.)
PALACE—(2,500), 25c-75c, 7 days. Vaudeville. **Gross:** $15,000.

"SHOOT THE WORKS" (Para.)
PARAMOUNT—(3,700), 35c-99c, 7 days. Stage show. **Gross:** $26,800.

"BABY, TAKE A BOW" (Para.)
ROXY—(6,200), 25c-55c, 2nd week, 7 days. Stage show. **Gross:** $30,000.

"MIDNIGHT ALIBI" (Warners)—6 days
"MAN WITH TWO FACES" (Warners)—1 day
STRAND—(2,000), 25c-$1.10, 7 days. **Gross:** $9,700.

Week Ending July 16:
"CALL IT LUCK" (Fox)
MAYFAIR—(2,300), 35c-85c, 7 days. **Gross:** $3,150.

"Gentleman," Band Lead in Portland

Portland, July 18.—In spite of the continued waterfront strike and the prospect of a general strike "Affairs of a Gentleman," with Ted Fiorita and his band on the Hamrick Music Box stage, more than doubled its normal take at $6,900.

"House of Rothschild," brought back for a return engagement at Hamrick's Oriental, topped par $700 for a total of $2,700. "Viva Villa" was slightly off at $4,800 at United Artists and "Shoot the Works" and "The Great Flirtation" also failed to hit par at the Paramount.

Total first run business was $24,700. Average is $22,000.

Estimated takings for the week ending July 11:

"CIRCUS CLOWN" (F. N.)
"I GIVE MY LOVE" (Univ.)
BROADWAY—(1,912), 25c-35c-40c, 7 days. **Gross:** $3,900. (Average, $5,000)

"AFFAIRS OF A GENTLEMAN" (Univ.)
HAMRICK'S MUSIC BOX—(2,000), 25c-35c-40c, 7 days. Stage: Ted Fiorita and band. **Gross:** $6,900. (Average, $3,000)

"HOUSE OF ROTHSCHILD" (U. A.)
HAMRICK'S ORIENTAL—(2,040), 25c, 7 days. **Gross:** $2,700. (Average, $2,000)

"MONEY MEANS NOTHING" (Mono.)
PANTAGES—(1,700), 15c-25c, 7 days. Stage show. **Gross:** $1,600. (Average, $2,000)

"SHOOT THE WORKS" (Para.)
"THE GREAT FLIRTATION" (Para.)
PARAMOUNT—(3,008), 25c-35c-40c, 7 days. **Gross:** $4,800. (Average, $5,000)

"VIVA VILLA" (M-G-M)
UNITED ARTISTS—(945), 25c-35c-40c, 7 days. **Gross:** $4,800. (Average, $5,000)

The Leading Daily Newspaper of the Motion Picture Industry

MOTION PICTURE DAILY

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VOL. 36. NO. 16 NEW YORK, FRIDAY, JULY 20, 1934 TEN CENTS

Unplayed 40 RKO 'Ace' In Circuit Race

With 110 Bought, Chain Nears Requirement

Approximately 40 pictures, bought at the outset of the 1933-34 season but unplayed to date, give the RKO circuit a hitherto unsuspected ace in the hole and, with 1934-35 product already signed, furnish virtually all the product required to keep going in this territory, according to sources familiar with inside workings in the RKO camp.

The unplayed pictures, it is understood, come from all sources signed last season and include not only Radio Pictures, but others from Paramount, Warner, Universal and Columbia. With 50 due from Radio next season, 30 from Paramount and 30 from Warners, RKO officials are known to regard their position as secure, despite the fact additional product will have to be annexed to meet double feature policies prevalent in many of the circuit's houses.

They, therefore, view any conclusion that the circuit will be shy of pictures as untrue and unfounded.

RKO-Consolidated Dicker Over Notes

Negotiations for extension of the maturities on $1,800,000 of RKO gold notes, secured by virtually all of the RKO investments in its subsidiary companies, are under way with Consolidated Film Industries, it was learned yesterday.

The notes mature in the principal

(*Continued on page* 8)

New Finance Setup For Pathe Outlined

A proposal to reorganize the financial setup of Pathe Exchanges, Inc., has been tentatively approved by the board of directors, it is understood.

(*Continued on page* 8)

Levy on Admissions Proposed by Mayor

A three to five per cent tax on theatre admissions, it was revealed yesterday, has been added to Mayor LaGuardia's tentative revenue program for raising funds for the city's emergency relief.

Finds Stars Worth B.O. Pull; No Federal Check

$4,000,000 Offer for Fox Metropolitan Bonds Is Set

An alternate bid of approximately $4,000,000 for the Fox Metropolitan bonds deposited with the bondholders' committee was completed yesterday by Loew's and Warners and the prospect of its acceptance by the committee is viewed optimistically by the bidders, it was stated last night.

The new bid will be submitted to Federal Judge Julian W. Mack in U. S. District Court here today. It was at the virtual insistence of Judge Mack on July 12 that Loew's and Warners prepared the bid for the Fox Met bonds, their previous bid of $4,500,000 for the assets of the circuit,

(*Continued on page* 6)

"U" Reports Big Jump to Profit Side

Universal Pictures Co., Inc., and its subsidiaries, report a net profit of $31,001.27 for the six months ending April 28. This is a striking reversal of conditions which prevailed at the end of the same six-month period in 1933.

The net gain is currently $633,256.68, as the company reported a loss of $602,255.41 for the same period a year ago.

The profit was reported after all

(*Continued on page* 8)

Paramount Will Get "Cleopatra" First

"Cleopatra" will play the Paramount and not the Criterion where original plans called for a two-a-day run at advanced prices as part of a plan to swing bigger Paramount attractions into the weekly change theatre in order to bolster its trade.

Currently, with "The Old-Fashioned Way," the Paramount is expected to do under $20,000 for the week which terminated last night.

Para. Trustees Get Additional Counsel

Paramount Publix trustees were authorized yesterday by Federal Judge Alfred C. Coxe to retain Root, Clark, Buckner & Ballantine as counsel in the reorganization proceedings under the

(*Continued on page* 8)

Actor-Writer Guilds Work On Radio Deal

HOLLYWOOD, July 19.—In spite of exhibitor complaints and the intent of studios to keep players from the air when possible, a move has been started jointly by the Screen Writers' Guild and the Screen Actors' Guild to line up sketches and talent for a series of broadcasts from Sept. 1 to Dec. 31.

The idea is to have the writer do the sketches and the players donate their services, so that whatever funds

(*Continued on page* 6)

Ohioans Talk Over New Season Selling

CINCINNATI, July 19.—Selling policies of the various companies, and the matter of cancellation of pictures considered objectionable by the Legion of Decency were two subjects discussed at a closed meeting of the Ohio Valley Independent Exhibitors' League yesterday.

A meeting is set for tomorrow for a preliminary discussion of operators' contracts for next season.

Frisco Theatres to Reopen on Saturday

SAN FRANCISCO, July 19.—With the general strike here having collapsed, local houses will reopen their doors at one o'clock Saturday afternoon, it was learned today, the fourth day of

(*Continued on page* 8)

Report Holds Curb on Salaries, Star Raids Hard to Enforce

WASHINGTON, July 19.—Declaring the worth of a star to be gauged by what the public will pay to see him, Division Administrator Sol A. Rosenblatt today made public the long-awaited report on salaries, in which the code provisions dealing with excessive remuneration were held to be incapable of effective administration and their continued indefinite suspension recommended.

The report also recommended indefinite continuance of the suspension of the provisions on star raiding as not contemplated under the terms of the Industrial Recovery Act and, like the salary provisions, incapable of effective enforcement.

To deal further with the problems involved, Rosenblatt recommends the creation of a committee, either with or without government participation, to study and report on "a method for compensating those engaged in artistic, creative, interpretative, directorial, technical and supervisory capacities on the basis of a minimum guaranteed compensation against a percentage of

(*Continued on page* 6)

Denver Defi Goes Up to Rosenblatt

The manifesto repudiating Code Authority and its local boards which was signed by 36 of 40 exhibitors in the Denver metropolitan area has been forwarded to Division Administrator Sol A. Rosenblatt at Washington by Campi headquarters here, it was learned yesterday.

It was stated at Campi that the Denver defi is regarded as being in

(*Continued on page* 6)

Campi Audit Shows Economy, Is Report

A Price, Waterhouse audit of Code Authority administration costs was completed yesterday showing a "remarkably economical operation" of code machinery, according to a Campi spokesman. The audit will be submitted to Campi at its next meeting, July 26, before being made public.

Four appeals from rulings of the Atlanta grievance board were heard

(*Continued on page* 6)

MOTION PICTURE
DAILY

(Registered U. S. Patent Office)

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"Cavalcade" Going Into the Criterion

"Cavalcade" returns to Broadway Monday on a grind policy at the Criterion. Admissions will range from 25 to 40 cents.

"The World Moves On," current two-a-day Fox attraction there, will fold Sunday evening after four weeks and three days.

Claim New Leader Patent

Walgot Trailer Service, Inc., says it has received a patent for a new frame line leader which replaces the old style photographically printed leader. Advantages claimed for it are clearance for sound track on both sides and perfect opaqueness.

Theresa Helburn Signed

Hollywood, July 19.—Theresa Helburn, executive director of the New York Theatre Guild, has been signed bv Harry Cohn to produce, direct and supervise for Columbia.

Frankwyn to Move

Frankwyn Company — Harold B. Franklin and Arch Selwyn—will move shortly from the NBC Bldg. to the Empire Trust Bldg. and twice its present floor space.

Will Show French Film

"L'Abbe Constantin," a French picture directed by J. P. Paulin, will be shown tonight on the *Paris* at Pier 57 by John S. Tapernoux.

Insiders' Outlook

THE other side of the story came into the open yesterday. The RKO circuit's ace in the picture hole proves to be about 40 films on this season's programs which have not been played. From its own affiliate, Radio Pictures, as well as Fox, Universal, Columbia and Warners are they drawn. Unplayed this season, they now go over to the new, thereby swelling the circuit's availabilities to 150. Most of RKO's houses change twice weekly. Some of them use doubles. Others, further down the line, change three times a week, placing their requirements roughly at 156. It may be necessary to pick up a few independents to fill in. RKO says there's nothing tough about it. Undetermined still, moreover, is Fox, although yesterday the report was about that Sidney Kent had reached an understanding with Nick Schenck on that score. . . .

▼

Here is how the battle lines between Greater New York's two ace circuits are drawn on the front that counts most: pictures.

Loew's

M-G-M	50
Paramount	30
Warners	30
Universal	36
United Artists	21
Columbia	36
Total	203

RKO

Radio	50
Paramount	30
Warners	30
Holdovers	40
Total	150

▼

Says an RKO adherent: "There are only 52 Saturdays and Sundays in any man's show business every year. I understand Loew is committed to give Metro 20; Paramount, 15; Warner, 10; United Artists, 10. That's 55 already with no time allowed in this reckoning for Universal and Columbia. The dope I get is that Loew has 63 week-ends to take care of and only 52 to do it in. So what? So, you figure it out." What this source, however, failed to include is creation of new first runs drawn from the Fox Met houses to be acquired, if they are acquired. The Loew attitude is that, if RKO plans to create new first runs where they don't exist now, the former can do the same thing. That sounds reasonable enough. . . .

▼

Whispers, made purposely vague but permitted to get about in sources close to RKO, tie in the name of Ed Flynn, Democratic leader in the Bronx. He is a director of Keith-Albee-Orpheum. He is close to Jim Farley, an important figure in the Administration. There's Mike Meehan, stock market operator, too. He's in control of K-A-O, although some say he wishes otherwise. On what it all may portend, any listener is permitted to draw his own conclusions. But now you have it, to throw out or retain as you may be minded. Two certain factors loom in the local situation: (1) The battle between RKO and Loew is on. It will be a real one. (2) RKO is after plenty of theatres in this sector. It won't buy because it hasn't the money. It will operate and book because that doesn't call for any money. . . .

▼

Mexico leads to old France. Meaning that it is "La Cucaracha," special short, which decided Radio to proceed with "Three Musketeers" in Technicolor's new three-component process. Dumas' adventure tale of swashbuckling when knights were bold lends itself to color. The deciding short is a beautiful subject, handled by Lloyd Corrigan, its director, to exact full advantage of the striking color photography which is its outstanding feature. Just as Pioneer Pictures, headed by "Jock" Whitney, made "La Cucaracha," so will be "The Three Musketeers." Pioneer and Radio will go fifty-fifty on the negative. . . .

▼

Outstanding "nut" item of the entire church campaign, beyond doubt, goes to a man named Alvin C. Hause. He is a Baptist, does his preaching at the Bales Baptist Church, Kansas City, and blames the mid-western drought on divine displeasure drummed up by "filth in our movie theatres." If he were occupying a San Francisco pulpit, no doubt the cause of the late strike would be ditto. . . . Presence of those Paramount theatre partners in town continues to be described as either "routine" or "they just happen to be here." Less diplomatic voices, however, insist something's up. . . . Friends are thinking of renaming "His Greatest Gamble," now holding forth at the Rialto, to "Mayer's Greatest Gamble." . . .

KANN

Many Off on Big Board

	High	Low	Close	Net Change	Sales
Columbia Pictures, vtc	29	29	29	+ ⅜	100
Consolidated Film Industries	3	2⅞	2⅞	— ⅛	100
Consolidated Film Industries, pfd	13	12	13	+1	1,200
Eastman Kodak	100¾	100	100¾	— ⅜	500
Fox Film "A"	12	11½	12	+ ½	600
Loew's, Inc.	28¼	27	27	— ¾	1,800
Paramount Publix, cts	3⅝	3¼	3¼	— ⅛	3,500
Pathe Exchange	1⅞	1⅞	1⅞	.....	300
Pathe Exchange "A"	19⅝	18	18⅛	—1	1,100
RKO	2	1⅞	2	.....	1,400
Warner Bros.	4⅝	3⅞	4	— ½	19,200

Technicolor Up ⅞ on Curb

	High	Low	Close	Net Change	Sales
Sentry Safety Control	¼	¼	¼	+ ⅛	600
Technicolor	14½	13½	14½	+ ⅞	3,700

RKO Bonds Slump 4 Points

	High	Low	Close	Net Change	Sales
Loew's 6s '41, ww deb rights	101½	101	101½	+ ½	8
Paramount Broadway 5½s '51	40	40	40	.....	5
Paramount F. L. 6s '47	46	45½	45½	— ½	5
Paramount Publix 5½s '50	47	47	47	+ ¼	2
RKO 6s '41, pp	25	25	25	—4	1
Warner Bros. 6s '39, wd	53	50	51½	—1½	101

Parent-Teachers Hit Duals on the Coast

San Francisco, July 19.—Hulda McGinn, manager of the California Theatre Ass'n., has received word from the California Congress of Parent-Teacher Ass'ns, Inc., urging theatres to abandon double bills and to establish family nights.

The organization has 150,000 members in the state, it is said.

Warners Fete Farley

Hollywood, July 19.—Postmaster General Farley was honored today at a luncheon at the Warner studio, at which he told a gathering of notables of screen, politics and society that the industry will keep up with the times and respond to the public taste in film entertainment. Farley was eulogized by Will Hays. The affair was arranged by Al Cohn.

Shirley Temple Wins

Hollywood, July 19.—The parents of Shirley Temple have settled their dispute over the salary of the child star and have signed a new contract for her. Fox is reported to have met their demand for $2,500 a week.

Rogers Has 5 Set

Charles R. Rogers, in New York from the Coast on a vacation, said yesterday he has set five of his planned 10 for Paramount next season. He will be here a week.

Ennis on Para. Shorts

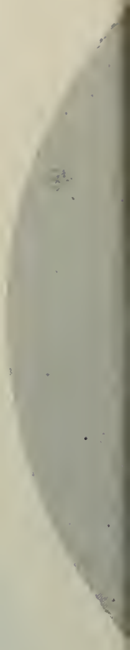
Bert Ennis is writing scripts for several of the Paramount shorts series made in the east under general supervision of Tom Waller.

HE'S HERE

with the picture
that will

ELECTRIFY

**SHOW
BUSINESS**



HAROLD

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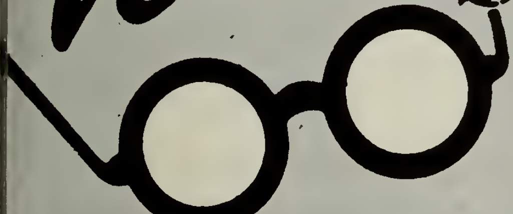

these

LLOYD in
Cat's Paw

with

UNA MERKEL
GEORGE BARBIER
NAT PENDLETON
GRACE BRADLEY
ALAN DINEHART
GRANT MITCHELL

Directed by
SAM TAYLOR

From the Saturday Evening Post Story
by **CLARENCE BUDINGTON KELLAND**

Produced by the
HAROLD LLOYD CORPORATION
a FOX release

Finds Talent Is Worth Pull At Box-Office

(*Continued from page* 1)

the receipts of the respective pictures upon which they may be engaged"; also to make recommendations for a uniform production cost formula, uniform production report system, uniform budget schedule and uniform salary ranges for various classes of employment.

The commission also is to consider whether it would be desirable and practical to establish a permanent commission, representative of producers and the various classes of employes, with power to require all proposed offers of employment to be transmitted for approval in advance of consummation, report in full on all negotiations for employment, provide for regulation of salaries "in proper cases," direct that services of employes not utilized by the employer may be available "upon such equitable terms and conditions as the commission may prescribe" to other producers and to make findings and report to producers concerned when in the commission's opinion corporate assets have been wasted by production executives in their employment of any members of the foregoing classes of employes.

Little Reduction in Costs

Criticizing the producers for failing to "clean house," Rosenblatt declared enforced readjustments, particularly during the past year, have had a salutary effect upon the financial structure of the exhibition division, "but no convincing evidence exists to indicate that basic production costs have been greatly reduced, or that any substantial progress has been made toward the elimination of those practices prevalent within the industry which tend to depress the quality of motion picture entertainment offered to the consuming public."

"One general indication of the contribution which salary payments make to the maladjustment of production costs is found in the failure of management to adjust salary ranges of executives or artists to changed earning capacity of the various companies in the industry," he continued.

"The intangibles of human talent, not celluloid," constitute the basic ingredient of the entertainment service offered to the consuming public, Rosenblatt held. "Here, as in no other artistic field, the talents of unique personalities have, through the organization and sales ingenuity of the industry, been brought before vast audiences in every part of the world," he said.

To a limited degree the factors which control the value of artists and directors apply also to production executives, Rosenblatt asserted.

"Thus, the mere fact that unusual creative talent, unique in some cases, constitutes the bone and marrow of the motion picture industry offers a natural explanation for the comparatively high compensation which is offered by the industry for these services," the report explained, but "under the normal operation of economic forces, the compensation commanded by these talents is in the long run determined by the appeal which they make to the consuming public. An artist may have a talent of infinite and lasting value to offer to the world, but from a strictly commercial standpoint that talent is worth only as much as it can earn for the producer in box-office receipts."

No salary is too high if the picture meets with unusual public favor as a result of unique direction or artistry, it was declared.

Nevertheless, Rosenblatt concluded, "the fact remains that all available evidence indicates that primary gross salary ranges in the industry have gone beyond any rational standard of compensation, based upon a percentage of the receipts representing the contribution to the picture." The basic reasons for the failure in the adjustment of salaries are to be found in trade practices, jealousy, ambition and other destructive factors, according to the report. Two of these practices are the star system "exploited in such manner that the values created by the producers are turned against them by the necessity for paying excessive salaries, and unfair competitive bidding for talent," it added.

No Dope on Nepotism

Lengthy tables were appended to the report developing the various phases of the inquiry. No information was given with respect to nepotism because of failure to secure consistent or complete data. Seventy-seven separate organizations were covered by the survey, including the nine largest producers. Compensation figures for 3,846 persons, whose compensation last year ranged from $100 up, were given.

The greatest remuneration reported for any individual in producing-distributing companies was $315,000 paid an actor for one picture, which constituted his year's work, this representing 1.725 per cent of his company's total payroll and 1.74 per cent of its gross receipts. The next highest paid artist received $10,000 per week but only $296,250 for the year, which represented 2.373 per cent of the company's total payroll and .973 per cent of its gross receipts. The highest paid executive received a salary of $2,112.50 per week, and for the year received $104,000 in salary and $169,596.29 other compensation, a total of $273,596.29. The highest paid general manager received $103,025 in salary and $169,596.29 other compensation, a total of $272,621.29.

The highest paid counsel received $179,599.79 for the year, while the highest paid director received only $150,000.

Sixty-two persons were shown to have received more than $100,000 for the year, and 102 others received between $50,000 and $100,000, the highest paid writer coming within this group with a compensation of $93,541.66, the highest paid studio manager with $57,183.34, and the highest paid composer with $52,416.66. The best paid supervisor received $48,500; the top camera manager $46,000 and the top sales manager $43,200.

Seven hundred eighty-two persons received $12,000 or more for the year, while 923 made less than $2,000.

The highest salary paid by a producing company was $150,000 paid an actor for one picture, representing 10.55 per cent of the total payroll and 5.835 per cent of gross receipts. Only four persons, including one executive, received more than $100,000.

The top figure reported by distributing companies was $90,774.68 paid a vice-president, who, with a president receiving $86,625, was the only person to receive as much as $25,000. The top in exhibition companies was $94,760.20 to a president, only four persons receiving more than $50,000.

Seventeen individuals received compensation from two or more departments in the same company, the top figure being $126,610.29.

A composite balance sheet of all the companies surveyed—producing, distribution and exhibition—employing a total of 316,176 persons, including 220,945 extras, showed that executives received 2.03 per cent of gross receipts; supervisors, 2.64; actors, 6.82; extras, .45; directors, 1.54; musical directors and musicians, 1.36; sound engineers, .16; sound technicians, .24; cameramen, .49; studio mechanics, 1.68, and laboratory workers, .45.

$4,000,000 Offer for Fox Metropolitan Bonds Is Set

(*Continued from page* 1)

its 87 leaseholds and fee properties, having been looked upon with displeasure by the court. The $4,500,000 bid remains as an alternate offer for the bondholders' committee to consider, but in view of the court's attitude expressed at the last hearing its acceptability is regarded as highly dubious.

Though Judge Mack is known to desire final settlement of the Loew-Warner bidding for the circuit at today's hearing, it is believed that if the bondholders' committee requests additional time to consider the new alternate bid, the court would entertain a further adjournment rather than go counter to the committee's wishes. Final disposition of the circuit today, therefore, is still in some doubt.

The bondholders are known to favor a bid for their bonds rather than for the circuit's assets, which have been the subject of the bidding up to today. If the committee accepts the $4,000,000 offer for the bonds, Loew's and Warners would then be in a position to proceed with their own reorganization of the circuit. The bidding for the assets contemplated partial reorganization by the bondholders' committee with Loew's and Warners then acquiring the leaseholds and fee properties from the committee.

Rosenblatt in Coast Confab Next Week

WASHINGTON, July 19.—Problems of the industry will be discussed with Hollywood leaders next week by Sol A. Rosenblatt, division administrator, who will leave Washington Monday for a two-weeks' trip. While in California, Rosenblatt is expected to discuss agency, actor-producer, writer-producer, extra and studio labor committees.

Refusing to state definitely whether his trip is based on any concrete difficulty which has arisen, Rosenblatt today said it would be taken in the interest of all the codes under his care.

Actor-Writer Guilds Work On Radio Deal

(*Continued from page* 1)

are derived from sale of the programs to advertisers can be turned over to the guilds.

In a form letter now being sent out to guild members they are told that the sketches will run about 25 minutes each and they are asked to sign an agreement to work in the sketches without compensation. The letter states that an agreement has been reached between the guilds for a division of the profits between the organizations.

Denver Defi Goes Up to Rosenblatt

(*Continued from page* 1)

contempt of Federal law as embodied in the National Industrial Recovery Act, rather than of Code Authority and the film code. No action will be taken by Campi on the manifesto nor reply made to it until after the next meeting of Code Authority, July 26, at which time recommendations in the matter are expected to be made by Rosenblatt.

The Denver exhibitors' manifesto declared in defiant terms that the 36 signatories would refuse to recognize Campi and the Denver grievance and clearance and zoning boards until revisions giving the complaining exhibitors "home rule in exhibition affairs" had been made. The action was taken, it was reported, when several theatres were ordered to end lotteries while the grievance board failed to halt the weekly giving away of an automobile by houses operated by Harry Huffman in Denver. The complaint against Huffman was dismissed for want of evidence when exhibitor witnesses at the hearing declined to testify.

Campi Audit Shows Economy, Is Report

(*Continued from page* 1)

yesterday by a Campi appeal committee consisting of Charles L. O'Reilly, chairman; Charles Rosenzweig and William Yoost. The cases heard were Walter L. Brandenburg vs. Lam Amusement Co., on overbuying; Lam Amusement Co. and Fred Jabley vs. Walter Brandenburg, on reduced admissions; H. G. Jenkins, South Pittsburg, Tenn., vs. Cumberland Amusement Co., Tallahoma, Tenn., on reduced admissions, and the Palace, Key West, Fla., vs. Strand, Key West, on overbuying.

L. A. Protests Failing

LOS ANGELES, July 19.—Only one protest out of five has been upheld by the clearance and zoning board thus far during hearings on the new clearance schedule. A general meeting on zoning has been called for Wednesday by the clearance board.

Fred Jack in Town

Fred Jack, southwestern district manager for Warners, is in New York conferencing with Gradwell L. Sears.

IN THESE CHANGING TIMES

Names, facts and figures continue to make vivid, dramatic motion picture history.

Each year new people, new policies, new technique cast their shadows across the box offices of the country.

And all the world's exhibitors look annually to the Motion Picture Almanac* for guidance—for a summation and a prediction of these changing times.

The biographical section alone is a big parade of 10,000 names marching across 422 solid pages of black type...countless other items account for the world-wide reputation of the Almanac as the industry's supreme reference authority.

*1934-35 issue now on the press $5.00

MOTION PICTURE ALMANAC

1790 BROADWAY NEW YORK CITY

RKO-Consolidated Dicker Over Notes

(*Continued from page 1*)

amount of $300,000 each on the first of August and the first of each month thereafter up to and including next January. Arrangements are being made to pay the August 1 maturity, pending the negotiations for extensions of maturities on the subsequent notes, which will then aggregate $1,500,000. A $25,208 interest payment on the notes was met by RKO on July 1.

The negotiations, it is understood, seek a six months' extension of the maturities of each of the five $300,000 notes remaining after the Aug. 1 payment.

Consolidated acquired the notes from Chemical Bank & Trust Co. and Commercial Investment Trust last month. Attorneys for the RKO receiver told the U. S. District Court here last spring that a foreclosure on the notes could "put RKO out of business as a going concern."

Para. Trustees Get Additional Counsel

(*Continued from page 1*)

new bankruptcy laws and, in addition, to retain special counsel for other legal work here and in Chicago, Los Angeles and other cities.

Law firms being retained as special counsel are Cravath, de Gersdorff, Swaine & Wood, former special counsel for Paramount and counsel for Kuhn, Loeb & Co., which is prominent in Paramount reorganization affairs; Sonnenschein, Berkson, Lautmann, Levinson & Morse, Chicago, attorneys for B. & K.; Kiddle, Margeson & Hornidge; Rosen, Kammer, Wolff & Farrar; Cobb, Hoke, Benson, Krause & Faegre; Strauss & Hedges; Pillsbury, Madison & Sutro, and Choate, Hall & Stewart.

Hearing Is Held on Leasing Complaint

A lease negotiation complaint brought by the Luxor against Duray Realty Corp. and Luxor-Bleecker Amusement Corp. was heard by the local grievance board and certified to Code Authority yesterday for disposition.

Murtha Dixon, the complainant and present operator of the Luxor, charges in the complaint that Duray Realty Corp. entered into negotiations with the Luxor-Bleecker Amusement Corp. for leasing the Luxor to the latter without serving a dispossess notice on the present operator.

The next meeting of the grievance board has been set for July 31.

Flash Reviews

Servants' Entrance— . . . spells entertainment with wide audience appeal. . . .

Smoking Guns— . . . so-so western.

These films will be reviewed in full in a later issue of MOTION PICTURE DAILY.

Johnsons Reach Cairo

CAIRO, Egypt, July 19.—Mr. and Mrs. Martin Johnson arrived here yesterday en route to London. They have just finished another big game picture. Mrs. Johnson is undergoing treatment for a jungle ailment.

Attitude of Writers On Code Is Awaited

HOLLYWOOD, July 19.—Production circles are awaiting the reaction of writers generally to the action of producers in reaffirming their recognition of the principles of the Academy's writer-producer code.

This is regarded as a tactful way of informing the Writers' Guild that its efforts to frame a new code are not looked upon with favor.

Producers have pledged more conscientious enforcement of the Academy code. Writers will be benefited by a clarification of the method by which writers themselves can determine screen credits and by the establishment of an official bulletin of authorship records.

Spokesmen for the Academy say the code doesn't pretend to solve all writer-producer problems, but does represent the only successful negotiation in this field to date.

Freedom Ass'n. Has Big Turnout Planned

More than 1,000 people are expected at a meeting to be held by the newly formed Association for the Preservation of the Freedom of the Stage and Screen at the Hotel New Yorker Monday evening at 8:30, according to I. Robert Broder, spokesman for the organization. Many prominent persons have been invited to speak. Dr. Charles Francis Potter of the First Humanist Society will speak and will also conduct an open forum.

The organization, formed July 12, claims 40,000 members, 35,000 of whom are also members of the Intercollegiate Democratic League of N. Y.

This is the first step in opposition to the campaign being waged against films by the churches to be taken by a group not directly connected with producers or exhibitors.

Defer Mason Broadcast

The radio talk on the church decency campaign against films which was to have been given on WOR tonight by Lowell B. Mason, former counsel for the NRA Review Board, is being deferred until next week.

11 More Features Passed

HOLLYWOOD, July 19.—Joseph I. Breen has added 11 features and 11 shorts to the list of films certified by him. Features are "The Man with Two Faces," "Dames," "The Dragon Murder Case" (Warners); "Affairs of Cellini," "Bulldog Drummond Strikes Back," "The Last Gentleman" (20th Century); "The Girl from Missouri," (M-G-M); "Ransom—$1,000,000" (Universal); "Name the Woman" (Columbia); "Now and Forever" (Paramount); "Servants' Entrance" (Fox).

Grauman to Open Chinese

HOLLYWOOD, July 19.—Sid Grauman is planning on reopening the Chinese early in August. He is considering one of three for the opener—"The World Moves On," "Barretts of Wimpole Street" or "Cleopatra."

24 Join Writers' Guild

HOLLYWOOD, July 19.—Twenty-four members of the Song Writers' Protective Ass'n., including Sigmund Romberg, have joined the Screen Writers' Guild.

Virginia MPTO May Go Into the MPTOA

RICHMOND, July 19.—Affiliation of the recently formed M. P. T. O. of Virginia with the M. P. T. O. A. is expected shortly. About 150 exhibitors have joined to date.

Officers elected last night are: President, Morton G. Thalhimer; vice-presidents, Hunter Perry, Charlottesville; William S. Wilder, Norfolk; I. Weinberg, Lexington; Richard C. Overby, South Boston; Sidney Gates, Portsmouth, and Ben Pitts, Fredericksburg; secretary, Elmer H. Brient, Richmond; treasurer, Sam Bendheim, Jr., Richmond; directors, W. Harmon Reed, Alexandria; Frederick W. Twyman and Hunter Perry, Charlottesville; A. Frank O'Brien, Brient, Charles A. Somma, Walter J. Coulter and Bendheim, Richmond; Bernard Depkin, A. E. Lichtman and Elmore Hines, Roanoke; Mrs. Bertha Gordon, Martinsville; J. S. Falls, Danville; Norman Ruben and R. E. Levine, Petersburg; R. V. Overy, South Boston; J. E. Loth, Waynesboro; I. Weinberg, Lexington; Otto Wells, Norfolk; R. H. Rippard, Farmville; William S. Wilder and J. D. Hoffman, Norfolk, and Thalhimer.

James D. Fitzgerald, secretary of the Washington code boards, was one of the speakers.

A banquet at night was attended by city officials, wives of members and by Edwin S. Reid, Richard C. L. Moncure and Elizabeth C. Chalkley of the censor board.

Sales Tax Struggle Again Hot in Ohio

COLUMBUS, July 19.—According to reliable information, a three per cent sales tax will be Governor White's chief recommendation to the General Assembly, which he has indicated he expects to call for a special tax session in September. Doubt is expressed that the measure will be passed by the present members whose terms expire at the end of the year.

Opposition is being waged by the Ohio Council of Retail Merchants, which has representatives in the field bringing pressure to bear with present legislators, as well as candidates who will run in the August primaries.

P. J. Wood, business manager I. T. O., is rallying exhibitors to the cause of the sales tax. He asks them to forget any existing affiliations, and immediately inaugurate an organized drive. This would cause repeal of the 10 per cent tax on admissions.

Wood estimates that at least $3,000,000 will have been paid by the industry by the end of the tax year.

Mayer and Party to Sail on Staatendam

Louis B. Mayer and Mrs. Mayer, Howard Strickling, Lew Wertheimer and Frank Orsatti sail on the *Staetendam* today for a European vacation. The party will proceed from London to Paris and Vichy, returning in four or five weeks by way of London.

The Mayer party arrived from the coast by plane yesterday afternoon, Mrs. Mayer joining the group here.

"Cleopatra" Preview

Paramount will run off "Cleopatra" at the Criterion Tuesday morning at 10 o'clock.

New Finance Setup For Pathe Outlined

(*Continued from page 1*)

Sanction of the stockholders may be sought in the near future.

The plan is said to call for new financing later in the year. It is understood Kidder, Peabody & Co. may underwrite a block of new convertible preferred stock. New common stock would also be authorized, with arrangements to pay off the accumulation on the current preferred in new common.

Two shares of new common would be exchanged for each share of the present "A" stock, while each share of "B" stock would be entitled to one-twentieth of a share of new common.

Holders of present six percent preferred would receive one share of new preferred, convertible into new common. In addition five shares of new common would be issued to get rid of the accumulation on the present senior issue.

Stuart Webb, Pathe head, said last night new financing plans had been discussed by the directors, but that nothing definite had been decided upon.

Tyrrell to Produce For Southern Spots

Phil Tyrrell has gone into a new venture, producer and booker for a group of southern theatres which will offer a 12 to 14-week route for units of 22 to 53 people. Tyrrell was booking manager for the Radio City theatres under Harold B. Franklin and later for the Detroit-Publix houses under Herschel Stuart.

Theatres lined up in the southern venture include the following cities: Nashville, Louisville, Lexington, Wheeling, Charleston, W. Va.; Morgantown, Cumberland, Clarksburg, Charlotte, Greensboro, Fairmount, Huntington, Atlanta and Montgomery.

Tyrrell says he will produce 10 units out of his office, starting in August, and will have a field man to handle independent units.

Universal Has Big Rise to Profit Side

(*Continued from page 1*)

charges, including $264,933.37 for depreciation of fixed assets.

Actually, the company states, the net operating profit was $199,609.70, but $158,608.43 was written off as a loss on settlement of notes receivable with a bankrupt theatre estate and $10,000 on balances in closed banks.

Frisco Theatres to Reopen on Saturday

(*Continued from page 1*)

the walkout. Anthony Noriego, representing the theatrical unions, informed exhibitors that projectionists, musicians and stagehands would return to work at once. Some 200 theatres and 3,000 workers have been affected by the strike.

Three Players to Leave

Three players under contract to Paramount will leave today or tomorrow. They are Lanny Ross, scheduled for "College Rhythm"; Anna May Wong, set for "Limehouse Blues," and Sylvia Sidney, who has been vacationing here.

The Leading
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Motion
Picture
Industry

MOTION PICTURE
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Loew-Warner Fox Met Deal Seen Certain

Agreement Is Reached With Bondholders

Ultimate acquisition of the Fox Metropolitan circuit by Loew's and Warners appears to be certain as a result of the agreement reached with the bondholders' committee for purchase of the Fox Met bonds deposited with it for approximately $4,000,000.

A report of the agreement on the purchase price of the bonds was made to Federal Judge Julian W. Mack yesterday by Morton G. Bogue, counsel for the bondholders' committee, who requested and was granted an adjournment to Aug. 6 to continue negotiations with Loew's and Warners on several "minor points" which remain unsettled.

It was indicated at the court hearing yesterday that the final bid would

(Continued on page 4)

Steffes Sees Local Censorship Stirred

MINNEAPOLIS, July 20.—That the privilege extended to exhibitors to cancel pictures adjudged indecent by organized public opinion in any community is an encouragement of local censorship is asserted in a letter forwarded to C. C. Pettijohn, counsel for the Hays organization, by Allied Theatre Owners of the Northwest. The letter bears the signature of W. A. Steffes, president.

"Apparently the gentlemen you represent are desirous of having a censorship board created in every city, village and hamlet in the United States," says the letter. "If the only way an exhibitor can cancel pictures is by having a protest made by residents of the community in which his

(Continued on page 4)

Academy in Appeal For Writers' Code

HOLLYWOOD, July 20.—In an effort to make clear that the writer-producer code is no political move to strengthen the Academy, but is intended for the best interests of writers, whether or not members of the Academy or the guild, the Academy writers' branch committee has sent a letter to this effect to the executive committee of the Writers' Guild.

Guild leaders say that the code, with few exceptions, was originally drafted

(Continued on page 4)

Blames Finance Ills on Industry's Poor Sense

Gross Receipts Shriveled $63,681,836 in Two Years

Washington, July 20.—Ranging from the peak salary of $315,000 paid to an unnamed actor last year down the line to the 782 individuals who each earned $12,000 or more, the report divulged by Division Administrator Sol A. Rosenblatt shows 966 men and women earned $23,143,839 last year. The compilation, drawn from the report, has been prepared by *Motion Picture Daily* and, in every instance, took the low figures where ranges in salaries, rather than fixed salaries, are mentioned.

As against this, 923 totaled $226,000, or an average of less than $2,000 per person.

WASHINGTON, July 20.—The salary report, prepared by Division Administrator Sol A. Rosenblatt, is probably the most extensive financial picture of the industry prepared so far in its history.

From 1931 to 1933, the investigation discloses, gross receipts of producing and distributing companies surveyed dropped from $282,779,712 to $219,097,876, while capital invested dropped from $200,562,082 to $106,875,416, and total assets from $338,501,841 to $206,887,111. In the same period, however, compensation payments by these companies jumped from 37.44 to 41.61 per cent for all individuals and from 31.24 to 35.71 per cent for the regular payroll.

From a high of $960,000,000 in 1930, the public's equity in the five largest companies—not mentioned by name, but obviously Paramount,

(Continued on page 3)

Producers Responsible, Says Rosenblatt in Salary Report

WASHINGTON, July 20. — Poor judgment on the part of producers is largely responsible for the present financial condition of the industry, it is stated in the salary report made public by Division Administrator Sol A. Rosenblatt.

Faced with the problem of decreased patronage and heavy fixed charges, it is pointed out, the industry was forced both to reduce theatre admissions and to attempt to improve the quality of pictures in an effort to increase attendance.

"To accomplish this, the producers invited the public with glamorous and more glamorous screen personalities," the report declared, only to find that this "was a costly process and, moreover, that, once created, they were always open to the predatory raids of competing producers. Thus, in the scramble to attract the public, salaries of executives and screen stars were raised to abnormal heights."

"By this action producers were flying in the face of sound judgment,"

(Continued on page 3)

Warner Calls Dougherty Ban 'Un-American'

HOLLYWOOD, July 20.—H. M. Warner stirred wide comment here today by describing Cardinal Dougherty's Philadelphia theatre boycott as "un-American, because it is confiscation of a great industry and of the livelihood of thousands of people."

Warner's remarks were made at a studio luncheon given for Postmaster General Farley and several prominent Democrats. A number of prominent film executives were present.

"I didn't mean to talk about this," Warner said, "but it is highly important to our company. When the cardinal of Philadelphia says it is a sin to go to the theatre, this is very un-American, because it is confiscation

(Continued on page 4)

Fight on Star Hookup Asked By Kuykendall

Ed Kuykendall, head of the M. P. T. O. A., has taken a strong stand against the proposal of the Writers' and Actors' Guilds to stage a 13-week series of national broadcasts, the proceeds of which will be divided by the guilds.

Immediate protests to the guilds are being urged by exhibitor-members.

In a special bulletin, after describing the plan for selling the broadcasts to a national advertiser, Kuykendall writes:

"Coming at this time when the motion picture industry is beset by boycotts, hot weather, weak pictures, outdoor amusements and other forces to lessen attendance, this seems to be an

(Continued on page 4)

Denver Manifesto Not Up to NRA Yet

WASHINGTON, July 20.—The Denver manifesto repudiating Campi and its local boards and forwarded to Division Administrator Sol A. Rosenblatt has not reached Washington yet, it was declared by him today. If referred here, it is not likely any action will be possible for at least

(Continued on page 3)

RKO on Offensive; Takes Two Theatres

RKO launched its offensive against the Loew circuit yesterday when K-A-O, an RKO subsidiary, formally announced first of its theatre acquisitions in the Apollo, Clinton and Delancey Sts., and the Hollywood, 6th St. and Ave. A. Both of them were part of the Manhattan Playhouses group. RKO will operate and book.

The additions are in the thickly populated East Side where Loew operates the Delancey and the Ave. B.

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Warners Expected to Hold St. Louis Spot

ST. LOUIS, July 20.—Warners are expected to reopen the Shubert in September. It is understood that the Warner-First National, Radio and Paramount product contracted for the house will not be played elsewhere.

There is some curiosity as to whether this will create a shortage of product for the Ambassador, Grand Central and Missouri, just taken over by Allan Snyder and Harry Koplar. At present the houses are dark, but are to be opened in the early fall, according to plan, under Fanchon & Marco management.

Warner-Epstein in Deal

Warners and L. M. Epstein of the Film Exchange, Inc., have closed a deal whereby the latter will distribute all Warner and First National product, including Vitaphone shorts, in the West Indies and Guianas of South America.

Sign Margaret Hamilton

HOLLYWOOD, July 20.—Radio has signed Margaret Hamilton, character actress, to a three-picture contract. The studio brought her from New York originally for a role in "A Hat, Coat and Glove."

Mascoli a Father

WATERBURY, July 20.—Nicholas Mascoli, operator of the Carroll and Alhambra here and the Community at Oakville, is the father of an eight-pound baby girl.

Loew Canada Profit For 8 Mos. $23,589

TORONTO, July 20.—An interim financial report by Marcus Loew's Theatres, Ltd., for the eight months ending last August shows a net profit of $23,589, with a balance carried forward of $590,180.

The company stated that it had retired the last of a $600,000 bond issue last month. The amount refunded since last August was $43,000.

Gross profit for Loew's Yonge St. Theatre for the eight months was $161,563, while the rental secured from Famous Players Canadian for the Uptown in the same period was $37,628. Assets are listed as in excess of $2,000,000.

This is the company a group of shareholders of which are arguing for declaration of a dividend.

File Plans to Join Astor and the Bijou

Plans to combine the Astor and Bijou theatres into one house at a cost of approximately $150,000 were filed with the Manhattan Department of Buildings yesterday.

Space for the stores now occupying space in the present buildings will be provided, and the present occupancies will not be changed.

The proposed house will have a seating capacity of 1,120, with 759 of these in the orchestra and 361 in the balcony.

The owner of the property is the Astor Theatre Realty Co., of which Walter Reade is president and Frank V. Storrs vice-president. Loew has it under lease.

Personal Appearances On

HOLLYWOOD, July 20.—Joe Morrison leaves for New York July 27 for his week of personal appearances at the Paramount.

Chester Morris left yesterday for a series of personal appearances in the east.

Wampas Come Out Even

HOLLYWOOD, July 20.—The loss of $300 on the Minneapolis Shrine frolic and a profit of that amount on the Chicago appearance of the Wampas "Baby Stars" makes it even, leaving nothing but the benefit of experience.

Franklin to Screen Kern's "3 Sisters"

"Three Sisters," described as a musical romance by Jerome Kern and Oscar Hammerstein, 2nd, has been acquired by Harold B. Franklin. It will be his first musical film.

"Three Sisters" was first produced last April at the Drury Lane, London. The music will not be heard in this country until the picture is ready. Production details have not been settled yet.

This is in addition to a number of stage attractions which Selwyn & Franklin, in association with Arthur Hopkins, have lined up.

Hitler Film Banned By Detroit's Police

DETROIT, July 20.—"Hitler's Reign of Terror" has been banned here by Police Commissioner H. E. Pickert and Superintendent John P. Smith. Pickert described the film as an "obvious fake."

Samuel Cummins of Jewel Productions, Inc., has written Pickert that he will "defy your department" and says he hopes the "city administration is not running the city for the benefit of the Nazis."

U. A. Sets Nine More

Simultaneously with the national release yesterday of "Bulldog Drummond Strikes Back," Al Lichtman, vice-president and general manager in charge of distribution for United Artists, made public dates on the next nine productions.

The pictures and release dates follow: "Our Daily Bread," Aug. 10; "The Affairs of Cellini," Aug. 24; "The Count of Monte Cristo," Sept. 7; "We Live Again," Sept. 21; "The Queen's Affair," Sept. 28; "The Last Gentleman," Oct. 5; "The Private Life of Don Juan," Oct. 19; "Transatlantic Merry-Go-Round," Nov. 2; "Nell Gwyn," Nov. 9.

Tyson to Pittsburgh

PITTSBURGH, July 20.—George Tyson, for the last year operator of three Skouras houses in St. Louis with Cullen Espy, has been named managing director of the Alvin here, which is to be opened shortly by Harris Amusement Co. Tyson was advertising manager for Warners here until two years ago.

All on Big Board Slide

	High	Low	Close	Net Change	Sales
Columbia Pictures, vtc	27⅜	26⅜	26⅜	—2⅝	300
Eastman Kodak	100¾	99	99	—1¾	300
Fox Film "A"	11	10½	10½	—1½	200
Loew's, Inc.	6⅞	25¾	25¾	—1¼	2,000
Paramount Publix, cts	3½	2⅞	3	— ½	5,900
Pathe Exchange	1¾	1⅝	1¾	— ⅛	1,300
Pathe Exchange "A"	19	17½	17½	— ⅝	1,700
RKO	2	1¾	1⅞	— ⅛	900
Warner Bros.	4	3¾	3⅞	— ⅛	7,500

Technicolor Drops ⅝ on Curb

	High	Low	Close	Net Change	Sales
Technicolor	14¾	13⅞	13⅞	— ⅝	3,300
Trans Lux	1⅜	1⅜	1⅜	.....	100

Most Bond Issues Take a Loss

	High	Low	Close	Net Change	Sales
General Theatre Equipment 6s '40	7	6⅞	7	+1	110
Keith B. F. 6s '46	65	65	65	—2	1
Loew's 6s '41, ww deb rights	101	101	101	— ½	5
Paramount Broadway 5½s '51	39	39	39	— ¼	12
Paramount F .L. 6s '47	46	46	46	.....	3
Paramount Publix 5½s '50	46	46	46	—1	1
Pathe 7s '37, ww	99¾	99	99	— ¾	15
Warner Bros. 6s '39, wd	52⅛	51	52⅛	+1⅛	74

Purely Personal

CRESSON SMITH, western and southern sales manager for RKO, leaves July 30 for Atlanta to make a tour of exchanges at Charlotte, Jacksonville, Memphis, New Orleans and Oklahoma City.

PETE's making pictures in Russia. MICKEY is on the back of a horse somewhere in Yellowstone Park. NORA is visiting friends and MRS. M. is off for Martha's Vineyard. ARTHUR MAYER now figures he'll stay in town and get some rest.

HARRY GOLDMAN for Boston, BASIL BRADY for Buffalo and ISRAEL LEVINE for New Haven are the latest additions to the Mundus Distributing Corp. sales force.

SAM DEMBOW, JR., is summering at Milton Point, Rye. Exciting in his life is an expected early 1935 arrival, his first in 13 years of the marital state.

HAL ROSSON arrived here yesterday on his way to England to do the camera work on "The Scarlet Pimpernel" for London Films.

LOUIS FRIEDLANDER gets into town by plane tomorrow to look for talent for "Tailspin Tommy," which he will direct for Universal.

G. TAYLOR STANTON, superintendent of the acoustical consulting department of Erpi, has been elected treasurer of the Acoustical Society of America.

ROBERT DONAT, who just finished work in "The Count of Monte Cristo," sailed for his home in England yesterday on the *Olympic*.

EVA LE GALLIENNE and DAVE APOLLON are sailing aboard the *Paris* for Europe today.

Para. Going Long Run

Extended run engagements for the Paramount will be a temporary policy for the house beginning with the opening of "Cleopatra." While the policy is in effect no Paramount pictures will be shown here on a two-a-day basis at advanced admissions. "The Scarlet Empress," Marlene Dietrich's new picture, is slated, along with "Cleopatra," to play an extended run at the Paramount rather than a two-a-day.

J. R. Stewart Passes

HAMILTON, Ont., July 20.—J. R. Stewart, veteran owner of the Lyric and Royal theatres, passed away here today after a brief illness. He was prominent as an independent, being an officer of Allied Exhibitors of Ontario and Associated Theatres, Ltd. of Toronto. Stewart has been identified with local theatres for the past 27 years.

Kan. Bank Nights Legal

KANSAS CITY, July 20.—Roland Boynton, attorney general of Kansas, reversing earlier opinions, today upheld a court decision that bank nights are legal, not constituting a lottery. The new ruling is to be given to the grievance board at tomorrow's session, when it will decide the question of legality with respect to the code.

Warner, Wilk on Way

HOLLYWOOD, July 20.—Harry Warner and Jacob Wilk were eastbound tonight.

PoorJudgment Is Criticized By Rosenblatt

(Continued from page 1)

Rosenblatt continued, pointing out that it was made difficult, if not impossible, to adjust production costs to the new era of generally depressed earnings.

"Among the factors contributing to the distressed financial condition of the motion picture industry," Rosenblatt found, "were a greatly reduced mass audience for screen entertainment by reason of widespread unemployment; great operating losses, due to undoubted over-investment in large type theatres; cutthroat competition for the services of outstanding screen personalities, resulting in excessive salary ranges, making it difficult to secure economical production.

"This star system of selecting artists tends to create an artificial scarcity of talent. Its operation tends to force the supposed values of artists to fantastic figures by withholding from the market the potentially available services of executive ability and artistic talent of equal ability.

"The inflated values which producers have placed upon a limited number of executives and artists have created a vicious circle of bidding for their services. The creatures of the system have turned to plague their masters."

Need "Drastic Corrective"

"Inflated capital structures require drastic corrective measures which come by the operation of the laws of economics during depression periods with operating losses," the report commented.

"Increased activity of stockholders in the operations of their companies may result in an incentive to sounder and better management, and such activity has been and should be welcomed by able and competent management."

Although drastic readjustments have been made since the depression, "no convincing evidence exists to indicate that basic production costs have been greatly reduced, or that any substantial progress has been made toward the elimination of those practices prevalent within the industry which tend to depress the quality of motion picture entertainment offered the consuming public."

"Rationalization of production costs remains the essence of the problems in the financial rehabilitation of the production division of the motion picture industry," according to the report.

Actors and actresses combined, not including extras, received 8.6 per cent of the gross in producing-distributing companies; 10.8 per cent in producing companies. If executives, supervisors and clerical and office employes are eliminated from the ratios, the remaining individuals, who might be classed as direct production employes, represent 26.7 per cent of the gross of the producer-distributors and 40.1 per cent for producers.

These figures, Rosenblatt commented, show a tendency toward an increased ratio of compensation in producing and producing-distributing companies in proportion to decreased gross receipts; a general tendency in producing and producing-distributing companies for a greater share of salary costs out of gross receipts than is customary in other forms of enterprise, where the ratio of salary costs to receipts generally ranges around 25 per cent; and the apparent absence of any standard cost accounting formula in the fixation of production costs, where ordinarily industries of the size and importance of this do generally employ a standard formula.

The report may do much to blast the myth of tremendous salaries to actors. Actors receiving salary at the rate of $1,000 per week were shown to have averaged $500 during the year. Others with a salary of $10,000 per week earned one week's pay. A $1,500 per week actress received $250 for the year. A $5,000 a week artist made one day's pay. Only a very few of those on a weekly salary made a full year's pay. Further, it is pointed out, by the operation of the income tax laws, the net compensation in many instances will be less than the gross compensation as disclosed in the report.

Gross Receipts Shriveled $63,681,836 in Two Years

(Continued from page 1)

Fox, M-G-M, Radio and Warners—dropped to $140,000,000 on the basis of stock market quotations current at the time the report was closed.

A composite chart of production, distribution and exhibition revealed these figures:

Year	*Assets*	*Net*
1931	$938,158,000	$21,459,000
1932	762,115,000	41,364,000
1933	667,875,000	19,589,000

In one year, then, the industry not only relinquished a profit balance of $21,459,000, but dipped into the red to the tune of $41,364,000. Indicative of better times, however, is the recovery in 1933 over 1932 when losses shrank to $29,589,000.

In 1931, the industry had a regular payroll of $133,240,587 divided among 48,275 employes. In 1932, it was $109,616,000 and 47,422 workers, thereby emphasizing that the industry maintained its level of numbers of men and women employed while at the same time reducing its payroll overhead. Obviously, these statistics do not embrace the entire exhibition business throughout the United States, on the other hand.

The salary bracket covering Hollywood is of considerable interest. It demonstrates that over a two-year period more performers were employed, but the total amount of wages reduced. In 1931, for instance, performers used totaled 20,503; they earned $37,077,527. In 1933, performers used totaled 28,055, but they earned only $25,834,977.

Yet this has no bearing on the increased earning power of individuals, such as outstanding drawing cards.

Further analysis of the more than 100 pages of statistics included in the report reveals that compensation to individuals last year represented 41.3 per cent of the gross receipts of producing-distributing companies; 52.8 per cent for producing companies; 25.3 per cent for distributors, and 25.6 per cent for exhibiting companies.

Three Appeals Heard By Campi Committee

Three appeals from local board rulings were heard yesterday by a Campi appeal committee consisting of R. H. Cochrane, chairman; Harry Buxbaum and O. C. Lam. Cases heard were an overbuying complaint filed against Jefferson Amusement Co., Beaumont, Texas, by the Ria, appealed from the Dallas grievance board; a clearance and zoning complaint appealed from the Chicago board and brought by the Westmont, Westmont, Ill., against the Tivoli, Downers Grove, Ill., and a reduced admission complaint appealed from the Omaha grievance board by the Rialto and Loop, Sioux City, Ia., with the Orpheum, Sioux City, as respondent.

Recommendations on all three cases will be filed with Campi by the committee later.

Hearing Is Set for Los Angeles Zoning

Los Angeles, July 20.—Because of a deluge of individual protests on the zoning schedule the clearance and zoning board has called a general meeting for next Wednesday morning at which the whole problem of clearance and dual bills will be threshed out.

All protestants, including exhibitors, producers and distributors, have been invited to attend.

Ben Berinstein, operating the Wiltern, filed a grievance complaint against F. W. C., operating the Embassy, three blocks away, which, he charges, gives away refrigerators to attract patronage.

Denver Manifesto Not Up to NRA Yet

(Continued from page 1)

two weeks since Rosenblatt leaves for the coast Monday.

The division administrator asserted he had heard nothing regarding the Denver situation and stated he could not comment on the matter until he had the manifesto and Campi's comment before him.

Present plans call for Rosenblatt to leave Washington Monday afternoon, arriving at Pasadena Thursday.

Penalty, Raid Clauses Are Sidetracked

The famed $10,000 penalty clause, aimed at employers (producers) for encouraging excessive salaries through competitive bidding, continues to grace the textual content of the code although no action will be taken to enforce it. This is the clause which Division Administrator Sol A. Rosenblatt, in his salary report released in Washington Friday night, found "incapable of effective administration" and recommended for continued indefinite suspension.

This section of the code—Part 4, Section A, Article 5, dealing with unfair practices—is the clause which was included in the document as the result of the expressed opinion of the President on "unconscionable salaries." It reads:

> "To avoid the payment of sums unreasonably in excess of the fair value of personal services which results in unfair and destructive competition, the Code Authority shall have the power, with the approval of the Administrator, to investigate whether in any case any employer in the motion picture industry has agreed to pay an unreasonably excessive inducement to any person to enter into the employ of such employer. If the Code Authority finds that such employer has done so, the Code Authority shall have the power, with the approval of the Administrator, to impose an assessment against such employer in the amount of the unreasonable excess payment to such person not, however, to exceed the sum of Ten Thousand Dollars ($10,000.00), and to make public its findings, but nothing in this part shall in any manner impair the validity or enforcement of such agreement of employment. All such assessments shal lbe paid to the Code Authority for use by it in the administration of its functions."

Origin of Suspension

The original suspension, now continued, was provided for in the executive order which accompanied enactment of the code. This Presidential decree, originally giving General Johnson the right of review of any decision made by Code Authority, was the order which took top line executives to a White House conference last December to protest on the ground it would eliminate the industry's right of self regulation. Subsequently, the order was modified by an explanatory statement from Johnson, although the text was not altered.

Indefinite continuance of the suspension of those portions of the code dealing with "star raids," a practice hit by Rosenblatt, refer to Subdivision C, Section 1, Part 5 of the section dealing with producers and Sections 2, 3, 4 and 6 under the same part.

In essence these clauses were designed to rule out secret talent negotiations and throw them into the open. They barred negotiations or offers to those under contract elsewhere prior to the final 30 days of existing pact and made it mandatory, when offers were made, for the prospective employer to so notify the employer then holding the talent sought on the competitive bid. The old employer was to be extended the privilege of meeting the new offer over a three and a six-month period, depending upon the salary bracket involved.

The clause was fought bitterly by agents and their lawyers during hectic code formulation days in Washington last year.

Warner Calls Dougherty Ban 'Un-American'

(Continued from page 1)

of a great industry and of the livelihood of thousands of people."

The talk was received in silence.

Warner continued with a suggestion that the postmaster general issue a stamp containing a picture of "one of our charming girls," charge an extra cent for it and "send the proceeds out here to take care of the distress that would be caused if the cardinal's advice were taken."

Farley made only a veiled reference to the situation by saying: "You will always, and always must, respond to public opinion. Only bv doing that can you hope to prosper and win the approval of all our citizens."

Steffes Sees Local Censorship Stirred

(Continued from page 1)

theatre is located, I am afraid the industry is inviting more trouble than the Legion of Decency has given it to date.

"The Legion of Decency is a national organization and why should not pictures condemned, barred or blacklisted by an organization of such wide scope and magnitude not be sufficient to allow every theatre owner in the United States to cancel pictures banned by them, if he so desires, rather than insist that local boards be established all over the United States?"

C. C. Pettijohn could not be reached yesterday. He was reported out of town. Comment on Steffes' letter was withheld pending his return. A copy had not yet reached the M.P.P.D.A office, it was said.

Drive Held Imperilled By Publicity Seekers

Fear that the crusade for clean films is in danger of becoming "unworkable, if not ridiculous" through the activities of "notoriety seekers" being drawn to it is expressed in an editorial in the *Catholic News*, out today.

"All sorts of notoriety seekers are getting into the clean movies crusade now that organized effort among Catholics has demonstrated that it is possible to compel Hollywood producers to mend their ways," the editorial says. "There is danger, therefore, that the whole movement may be made unworkable, if not ridiculous, by the demands of unreasonable individuals."

Clean Film Campaign Dangerous—Franklin

Current agitation against objectionable films is "fraught with dangerous possibilities to an industry that may be hampered in its free expression," writes Harold B. Franklin in the current issue of *The Theatre*, house organ of Frankwyn Prod.

Producers, Franklin writes, are in full sympathy with the objections to immoral stories on the screen. He also says the most successful pictures of the past have been those that appeal to the "finer emotions," but, he continues:

"If the cinema is to attain the artistic pinnacle that seems to be its destiny, it must patiently meet the issue, eliminate vulgarity and find some way to segregate motion pictures that are not intended for juvenile consumption. If there is to be a cinematic literature it will come only if the screen dramatists and producers are given every opportunity for free expression. This, however, must not be construed as license to produce subjects in obvious bad taste."

MOTION PICTURE DAILY'S HOLLYWOOD PREVIEW

"Straight Is the Way"

(M-G-M)

HOLLYWOOD, July 20.—Concentrating on heart interest and emotional values, this film, adapted from the stage play "Four Walls," is tempered with excitement blended with laughs and tears and peopled with human beings.

Franchot Tone, released from prison, is being awaited by his doting mother (May Robson) and the girl who loves him (Karen Morley). Home again, he gets enmeshed with his old mob, headed by Jack La Rue. His old sweetie (Gladys George) tries to play him against La Rue for a triangular conflict. Tone's inner battle to find himself, to find love, to choose between the calls of Miss George and Miss Morley, and his desire to go straight give a personal flavor to the dramatic values, spread before the teeming canvas of East Side life.

Miss Robson gives pathos and loveliness to the mother role. Miss George, a newcomer, has flame. Others supporting Tone and Miss Morley in the leads are Nat Pendleton, C. Henry Gordon, Raymond Hatton, William Bakewell and James Qualen, who contribute nicely. Paul Sloane does a competent job of direction. Bernard Shubert wrote the screen play.

The production, produced for mass appeal, is down to earth and is above program picture calibre. Running time, 60 minutes.

"Housewife"

(Warners)

HOLLYWOOD, July 20.—This is a little more than a variation of the old triangle without particularly new trimmings. The picture's greatest asset is a thoroughly good cast, which gives to trite situations zest and punch.

The story deals with George Brent and Ann Dvorak, happily married until Brent amasses a huge bankroll as an advertising agent. The money goes to his head and he falls for Bette Davis, the office beauty. On the verge of divorce, an accident to their son brings George and Ann together again.

John Halliday plays the stereotyped role of the patient friend in love with the wife. Ruth Donnelly and Hobart Cavanaugh as friends and Willard Robertson as the judge contribute good comedy. Director Alfred E. Green gives inspiration to the picture and the cast.

The picture will go best where the cast names will draw. Running time, 70 minutes.

Tobias A. Keppler Critically Injured

Tobias A. Keppler, attorney, well known in film circles, was critically injured in the offices of Referee Robert Stephenson, 29 Broadway, yesterday.

Keppler, who is 55 years old, was knocked through a glass door, suffering severe cuts. He was taken to the Broad St. Hospital, where his condition last night was reported to be "just fair." His alleged assailant, Milton Gordon, was arrested. The cause of the fight was not learned. Keppler, last summer, was instrumental in organizing independent producers and distributors into what later became the Federation of the M. P. Industry.

War on Star Hookup Asked by Kuykendall

(Continued from page 1)

unbusinesslike, unfair and unreasonable plan to undermine theatre attendance. Many patrons of established theatres, whose film rentals pay the star salaries, will remain at home to hear these stars and radio plays for nothing rather than go and pay admission to the theatre to hear the same star do the same or similar stuff. How can we sell such entertainment, stars and personalities if the advertiser subsidizing the performance gives it away for nothing?

"Prompt and strong action should be taken by theatre owners to protest and prevent such broadcasting. Write or wire the Screen Actors' Guild and let them know how you feel, protest to the stars and studios against such unfair competition. Do it now before it gets under way and you may not have to regret not doing it later on."

Passaic Mortgage Paid

PASSAIC, N. J., July 20.—The $250,000 mortgage which the Harris brothers gave on their Capitol theatre building here eight years ago has been paid off in full. Payment was made this week through the Guarantee Mortgage and Title Insurance Co.

Loew-Warner Fox Met Deal Seen Certain

(Continued from page 1)

be completed in the meantime. Consummation of the deal, however, could not be had prior to late August as an opportunity would have to be given all bondholders to appear in court after completion of the Loew-Warner bid to express their views on the offer and on the existing reorganization plan devised by the bondholders' committee or on any similar reorganization plan which may be developed in the meantime. This is expected to take about three weeks additionally following the completion of the Loew-Warner bid.

Acquisition of the Fox Met bonds, as contemplated in the new $4,000,000 bid, will put Loew's and Warners in the position now occupied by the bondholders' committee. It would give them control of more than 85 per cent of the $12,500,000 Fox Met notes outstanding. With these, Loew's and Warners would proceed to foreclose on the circuit, taking over its assets of 79 leaseholds and eight fee properties and proceeding with their own reorganization.

In addition to the $4,000,000 to be paid the bondholders' committee for the bonds deposited with it, bondholders would also come into possession of approximately $1,000,000 cash now held by Irving Trust Co., receiver for Fox Met.

No government interference with the Loew-Warner deal for the circuit is anticipated, it was learned yesterday, if the ultimate reorganization plan achieves a complete divorce of operation of the theatres by Loew's and Warners. This is contemplated by the bidders, as the ultimate division of the circuit would give Warners the New Jersey houses and Loew's the remainder, with the Loew-Warner bidding combination terminating there.

John H. Amen, special assistant to the attorney general, again was a spectator at yesterday's court hearing.

Academy in Appeal For Writers' Code

(Continued from page 1)

by members who are now leading figures in the guild.

One of the passages of the letter reads:

"The existing writer-producer code is not a political issue between the academy and the guild and nothing should be permitted to interfere in any way with all writers getting full benefits of the code. We ask that you acquaint your members with their rights under this code and to emphasize that the code will continue to be administered without any distinction between the academy or guild members."

The Writers' Guild has passed a resolution to abide by the code now being formulated and to be passed upon by the five-five committee of the NRA. A meeting of the executive board is to be called to discuss the practicability of accepting the writer-producer code negotiated by the academy. It is believed doubtful that they will accept this in its entirety.

The Leading Daily Newspaper of the Motion Picture Industry

MOTION PICTURE DAILY

Alert, Intelligent and Faithful Service to the Industry in All Branches

VOL. 36. NO. 18 NEW YORK, MONDAY, JULY 23, 1934 TEN CENTS

Wisconsin Up In Arms Over Cancellations

Allied Unit Says Banned Films Forced on It

MILWAUKEE, July 22.—Declaring local exchanges have refused to co-operate in cancelling salacious pictures, Allied Independent Theatre Owners of Wisconsin is waging a publicity campaign explaining their position to Catholic societies, clubs and organizations, which have stood for the abolition of block booking. Both newspaper publicity and bulletins are being used with 80 parent-teacher organizations in the state contacted.

According to R. A. Tesch, business manager for Allied, one state exhibitor went to five local exchanges trying to cancel pictures on the condemned list and was unable to do so. Various clubs and organizations here are send-

(Continued on page 7)

K. C. Men Skeptical Over Cancellations

KANSAS CITY, July 22.—Heads of both exhibitor organizations in this territory question whether the major distributors' decision to permit cancellations on moral grounds was not intended to shift responsibility for showing objectionable films to the exhibitor.

At the same time, it was reported numerous exhibitors, particularly independents in Kansas City, were preparing to take immediate advantage of the cancellation right.

Jay Means, president of the I. T. O., commended the distributors for taking

(Continued on page 7)

St. Louis to Abide By Legion, Council

ST. LOUIS, July 22.—Any picture banned by both the local Legion of Decency and Better Films Council will be regarded by members of the M.P.T.O. of St. Louis, Eastern Missouri and Southern Illinois as coming within the cancellation provisions for any picture to which there is a genuine

(Continued on page 7)

Chortle Over Duals Flop in Cleveland

CLEVELAND, July 22.—Local exhibitors, all of whom unanimously eliminated double features on July 8, point with satisfaction to the low record at the Hanna during its three day existence as the only downtown double feature house in the city. They

(Continued on page 3)

Theatre Grosses Show Drop Of $88,540,917 in 2 Years

WASHINGTON, July 22.—Painting a startling picture of what has happened in exhibition, further analysis of the salary report made by Division Administrator Sol A. Rosenblatt shows gross theatre receipts dropped $88,540,917 from their $260,410,597 total in at the end of 1931 to $171,869,680 at the end of 1933.

Noting the shrinkage which has prevailed throughout the entire industry, the statistics on exhibition include these:

	1931	*1932*	*1933*
Gross receipts	$260,410,597	$216,892,126	$171,869,680
Capital investment	297,516,406	255,886,015	238,313,838
Surplus and reserves...	64,741,732	39,725,706	19,906,678
Total assets	599,656,480	521,312,233	460,988,049
Net profit or loss......	5,054,611	—13,979,210	—10,268,891

(Continued on page 8)

New Fox Met Angle Seeks Reorganizing

Indicating potential complications in the Fox Met situation, a petition for reorganization under the new bankruptcy laws was filed by a group of bondholders of the circuit in U. S. District court here over the week-end.

Archibald Palmer, downtown attorney, represented the petitioning bondholders, but could not be reached on Saturday for questioning as to the identity of holders and the amount of bonds he represents. It was stated by attorneys close to the Fox Met situation, however, that the petitioning holders represented a "very small minority" of the $12,500,000 of Fox Met bonds outstanding.

More than 85 per cent of the bonds, it was pointed out, have been deposited with the bondholders' committee which is negotiating with Loew's and Warners for a sale of their holdings for approximately $4,000,000. The petition for reorganization under

(Continued on page 3)

'Frisco Houses Back To Normal Once More

SAN FRANCISCO, July 22.—All quiet on the theatre front here. Houses operated normally over the week-end, following their temporary shutdown while the general strike raged.

The Federated Women's Clubs, the Parent-Teachers' Ass'ns and the M.P. Council have gone civic by protesting against newsreel coverage of the strike. The protest was registered with Hulda McGinn, manager of the California Theatre Ass'n.

MPTO to Sift Film Comment For Studios

An M. P. T. O. A. production contact committee has been appointed to relay to studio executives reactions of independent exhibitors nationally and the public to types of pictures, personalities, scenes and dialogue in new releases, it is stated in the national exhibitor organization's general bulletin distributed Saturday. It is intimated that the reports will be influential in guiding production changes imposed by the church decency campaign.

Walter Vincent of New York is chairman of the committee. R. B. Wilby, Atlanta; E. C. Beatty, Detroit; Karl Hoblitzelle, Dallas, and Morgan A. Walsh, San Francisco, are members. The committee will gather, correlate and forward the information to the studios.

"It has developed," the bulletin states, "that the responsible heads of the studios are sincerely and keenly

(Continued on page 7)

Nazis Seek to Force Cultural Film Use

That the Nazi government will take steps to force exhibitors to include cultural films in their programs is indicated in dispatches from Berlin over the week-end.

This is understood to be in accord with Adolf Hitler's efforts to elevate the quality of films. Another step toward this end, it is revealed, is possible abolition of the rebate system under which small producers have been underbidding competitors.

See Hurdles Confronting Percentages

Early Opinion Views NRA Idea Variously

It may be a fine theory on paper, but practical application of a percentage plan for talent, controlled through a commission with or without government participation, as suggested by Division Administrator Sol A. Rosenblatt in his salary report, is something else again. This is the first reaction of ranking executive opinion in New York, as reflected in scattered and incomplete comment available over the week-end.

Those reached for an expression of opinion, voiced privately and with strict injunctions against quotations incidentally, envisioned many obstacles in the path of such an idea. There was, for instance, one individual who speculated if a commission to determine percentages could function without contravening the law.

A second objection immediately raised was the practicability of such a

(Continued on page 8)

ChurchBoardWould Displace Hays Ass'n

A permanent board of control for the industry to be composed of representatives of the public, the national religious ministry and producers and distributors, is proposed in a plan advanced over the week-end by the New York Board of Jewish Ministers, which is scheduled to be presented

(Continued on page 7)

Campaign Hops Line, Reaches Into Mexico

By JAMES LOCKHART

MEXICO CITY, July 22.—The decency campaign today reached across the border when 30,000 residents of Ciudad Juarez, State of Chihuahua, across the international border from El Paso, Tex., pledged themselves to shun theatres which run pictures considered off color. This goes for their own city as well as for El Paso.

Anticipation is the movement will now spread to other parts of Mexico.

Fleischer Lines Up 3rd Dimension Plan

BUFFALO, July 22.—The illusion of depth and objects seen in relief and perspective was demonstrated at a screening of Max and Dave Fleischer's

(Continued on page 3)

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Warners Seen After Allen in Cleveland

CLEVELAND, July 22.—Rumors are persistent that Warners are about to take over the Allen from Myer Fine, Abe Kramer, P. E. Essick and Max Lefkowosh, who have been operating the house for the past year and a half. The Allen, originally built by Jules and J. J. Allen, passed from their hands into the control of Loew's Ohio Theatres where it remained until taken over by the independent exhibitor group.

Warners Darken 4

CANTON, O., July 22.—Warners have closed several theatres in this area, according to Nat Wolf, zone manager. Those recently closed include the Lake and Variety in Cleveland, Kenton at Kenton and the Plaza at Sandusky.

According to Order

BUFFALO, July 22.—Presented by his wife with an eight-pound daughter as per his specifications, Herbert T. Silverberg, film attorney, is going to pick a name for his offspring by numerology. The Silverbergs also have a son two years old.

Majestic Men In

Thomas A. Branon, of Affiliated Producers, Atlanta, and Harry Asher and Morris Segal, Majestic Pictures, Inc., Boston and Cincinnati, respectively, all franchise holders, are in town on business with Majestic.

Insiders' Outlook

SOL ROSENBLATT'S salary report is fascinatingly interesting in point of statistical formidability, but it is in that direction only that it contains facts which are new. Anyone who may have overlooked or who may have forgotten the terrific wallop this industry has taken in the last two years will find a forcible reminder by devoting a few minutes to the mass of information the division administrator, through his facilities, has compiled. The wonder is, in the light of what the figures reveal, that so many of the old-line companies are still around each morning to conduct their business. . . .

▼

The recommendation that the $10,000 penalty clause for encouraging unreasonable salaries and those clauses designed to set up a system of circumventing star raids continue in indefinite suspension because they are not enforceable comes as anything but a surprise. In the first place, the penalty clause was added to the code out of deference to the President and his memorable remarks concerning "unconscionable salaries." Moreover, its inclusion was in that its intent at the outset never would have brought about the objective for which it was created. . . .

▼

This is obvious because the penalty would not have vitiated the contract on which such a fine was to be invoked, but merely sock the guilty producer an extra $10,000 for having engineered such a pact. Suppose—this is purely a case in point—Metro offered Greta Garbo $250,000 for two pictures and this came to be viewed as a step encouraging unreasonable salaries. Metro, if found guilty, would pay the 10,000 iron men and proceed with its star and her pictures. The deal, on such a basis, would run to $260,000 instead of $250,000 and the conclusion which immediately leaps to the fore is best symbolized by three little words. They are: "What of it?" . . .

▼

The anti-star raid clause, too, was largely so many words. To explain why is as simple as the other. The arrangement was designed to permit old employers to meet the offers of potential employers of their talent over a three and six-month period following expiration of contracts. Again and perhaps workable on paper, what happens in fact and in deed? The human element—the constant Hollywood trick of steaming up desirable talent by dangling alluring offers of higher and higher pay; the gyrations of unscrupulous agents who live better when their 10 per cent is better and who negotiate accordingly—has been entirely overlooked and completely negated on what is purely a theory which, so far at least, has never transferred itself from writing to action. . . .

▼

Lacking in significance, except to some NRA officials perhaps, is Rosenblatt's conclusion that stars are worth what they draw at the box-office. When was there ever any question about that? The tragedy here is that many stars, who aren't that at all any longer, continue to earn compensation far out of line with their actual drawing power. Yet, you tell us because we don't know and have been trying to find out for almost two decades now, exactly how is the drawing value of a star to be accurately gauged? The one way is on percentage, but there again are difficulties not easy to surmount. Rosenblatt's conclusions on trade procedure in this industry impart nothing fresh or new. He does prove rather conclusively what everyone who is at all observant has known right along. That is, the tail, meaning Hollywood, continues to wag the dog, meaning New York. . . .

▼

If Winchell can spare a scallion, it ought to be handed with pomp and ceremony to the Screen Writers' Guild as well as to the Screen Actors' Guild. Those outfits, drunk on Hollywood salary and Hollywood indifference to what goes on elsewhere, are conspiring to sell air time beginning Sept. 1 and running 18 weeks thereafter. A neat idea. The writers will write and the actors will act. Neither will accept compensation, but turn the dough over to the guild treasury and so make sweeter the final days of indolent members of both groups. This, after nation-wide yells from exhibitors who gather in the money that keeps the Gold Coast immune from depressing times. There's a producers' association somewhere in Hollywood that ought to go to work. . . .

▼

The "You Dastard" line displayed in New York newspaper copy for the week's run of "The Old-Fashioned Way" at the Paramount last week has some of the advertising boys around town wondering how come. After all, there's only one letter between B and D. . . . Joe Brandt says there is only one small "maybe" between re-entry or no re-entry into the business. Popular Pictures, Inc.—Philadelphia Lou Berman and New York Sam Spring, associates—is the company which is talking a variation of the original First National franchise plan. Walter Wanger is mentioned as a possible member of the producing personnel. . . .

▼

Unrelated incidents, perhaps. National Screen is displaying much interest in the welfare of exhibitor organizations this summer, that is for a trailer company. Many exhibitor associations, capturing the same thought at or about the same time, are resoluting against major pro-

(*Continued on page 3*)

Loew Pfd. Off 1⅜ on Big Board

	High	Low	Close	Net Change	Sales
Columbia Pictures, vtc	26¾	26¾	26¾	+ ⅜	100
Fox Film "A"	10⅞	10½	10½	.....	700
Loew's, Inc.	25⅞	25½	25⅝	— ⅛	2,200
Loew's, Inc., pfd.	88½	88½	88½	—1⅜	100
Paramount Publix, cts.	3⅛	2⅞	2⅞	.....	1,400
Pathe Exchange	1⅝	1½	1½	— ¼	2,100
Pathe Exchange "A"	17	16½	17	— ½	700
RKO	2	1¾	2	+ ⅛	900
Warner Bros.	3⅞	3¾	3¾	— ⅛	4,100

Technicolor Takes Eighth-Point Loss

	High	Low	Close	Net Change	Sales
Technicolor	13⅞	13⅛	13¾	— ⅛	400

Warner Bonds Advance ¾ Point

	High	Low	Close	Net Change	Sales
General Theatre Equipment 6s '40	6⅝	6⅝	6⅝	— ⅜	2
Loew's 6s '41, ww deb rights	100	100	100	.....	8
Paramount F. L. 6s '47	44¾	44¾	44¾	+ ¾	2
Pathe 7s '37, ww	99½	99½	99½	+ ½	4
Warner Bros. 6s '39, wd	53¼	51½	53¼	+ ¾	16

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WALTER J. WEAVER, *Manager*

New Fox Met Angle Seeks Reorganizing

(Continued from page 1)

the new bankruptcy laws, it was said, could not have been brought by holders representing more than "five or 10 per cent of the undeposited bonds."

Representatives of Skouras and Randforce, present operators of Fox Met, who would be out of the circuit entirely if the Loew-Warner sale is consummated, could not be reached Saturday for comment on a report that they had acquired Fox Met bonds in the market recently and were represented in the action for reorganization of the circuit under the new laws.

No hearing of the petition was set and the belief is that it will be referred to Federal Judge Julian W. Mack, who has jurisdiction in the Fox Met proceedings, for disposal. To obtain consideration for their petition, the dissenting bondholders would be obliged to show that all holders would benefit more under the new bankruptcy laws than by a sale to Loew's and Warners.

Fleischer Lines Up 3rd Dimension Plan

(Continued from page 1)

latest Betty Boop cartoon in Shea's Court Street Theatre. Photographed in color, as Fleischer cartoons will be from now on, this subject is said to represent a new process for which patents have been applied. The process is declared not to be applicable, as yet anyway, to films with human casts.

Chortle Over Duals Flop in Cleveland

(Continued from page 1)

say they continue to be delighted with the results of the single feature policy. Except in a few localities where quantity and not quality is the main attraction, no known kicks have been registered.

ITOA Quarters Ready

Philadelphia, July 22. — The ITOA will formally dedicate its new quarters at 1313 Vine St. tomorrow. Music and refreshments will be the order of the day from 10 A.M. to 3 P.M.

In Cleveland, Too

Cleveland, July 22.—The Cleveland M. P. Exhibitors Ass'n. will hold a buffet luncheon for all members Thursday. This is a housewarming party to initiate new headquarters in the Film Bldg. Following the luncheon, a mass meeting will be held with an open forum for discussion of problems.

Montgomery-Hayes Team

Hollywood, July 22.—Robert Montgomery will be co-starred with Helen Hayes in "Vanessa," Hugh Walpole novel. M-G-M has been working on the adaptation for several months. Recent reports had it the novel had been sidetracked because of the church campaign.

"Dark Angel" Remake

Hollywood, July 22.—Samuel Goldwyn will remake "The Dark Angel" as his third for 1934-35. Thornton Wilder, author, will come west to do the script.

Looking 'Em Over

"Blossom Time"

(British International)

London, July 9.—This is another British picture which demands serious attention from America. It is artistry and it is first class box-office.

Although British International's Elstree studio is due big credit for admirable technique, the outstanding achievements in direction and acting go to the credit of Germans. It may seem a left-handed compliment to say that, apart from the language, there is no obvious trace of British origin about "Blossom Time," but, in fact, it is almost the highest compliment one can pay a production which seeks to recapture the atmosphere of Vienna in the 1820's—and succeeds.

Paul L. Stein's direction and Richard Tauber's magnificent singing are the highlights. He handles well-known British players in a way that levels them up to their Continental cast-fellows. Tauber renders Schubert lyrics with a perfection that gives new meaning to the term "musical." "Hark, Hark the Lark," "Impatience," "Red Roses," "Faith in the Spring" are among them. Extra music by G. H. Clutsam is in harmony. John Drinkwater co-operated in the screen play.

Tauber is not only a great tenor but an admirable actor with a sense of character which, added to a remarkable resemblance to Schubert, makes his portrait of the composer altogether convincing and charming.

It is Schubert's unhappy yet whimsical love story which is told. Infatuated with his dancing master landlord's daughter, he sees her love stolen by a dashing officer of the guards, yet when the young couple's happiness is threatened by an edict of the archduchess, it is Schubert who risks his liberty to appeal to her to permit the wedding.

The gentle sentiment of the story tinges a series of scenes which are in detail delightfully humorous and sometimes very ambitious in scale. Both descriptions apply to the ballroom episode where the archduchess, who is waltz crazy, has her guards officers lined up in relays of partners and to the effective concluding wedding scene, with Schubert leading the choir while the girl he loves marries her officer.

There is admirable acting from Athene Seyler as the autocratic archduchess and Paul Graetz, as the dancing master, and Jane Baxter is very charming as Vicki, the girl.

A very creditable production.

"Smoking Guns"

(Universal)

This Ken Maynard vehicle is a so-so western. At the outset it drags considerably, and it is not until it has reached nearly the half-way mark that it succeeds in finding its pace. Then it provides a more or less exciting time until the finish. The story at times asks too much to be taken for granted, but this probably will not hurt its chances with western fans.

The plot concerns Maynard's efforts to clear himself of a charge of murder. The man who committed the crime for which he has been hunted he also believes guilty of having something to do with his father's disappearance. It ought to be needless to say that Maynard gets his man. At the same time he discovers his father is being held a prisoner by the bad fellow and his gang. Worked into the story is a romance between Maynard and Gloria Shea.

The supporting cast includes Walter Miller, Frank Hagney, Jack Rockwell, Ed Coxen and Bob Kortman. Alan James directed. Running time, 62 minutes.

MOTION PICTURE DAILY'S HOLLYWOOD PREVIEW

"Servants' Entrance"

(Fox)

Hollywood, July 22.—This is light, make-believe comedy that spells entertainment with a wide audience appeal.

The story is laid in Sweden. It has Janet Gaynor as a young heiress embarking on a hunt for the real things in life by hiring herself out as a servant to get the lowdown on practicalities. In the throes of her new education, she forgets her old love (G. P. Huntley, Jr.) and falls romantically for her employer's chaffeur (Lew Ayres). With this simple theme, the entire picture has a delightful whimsical quality that Gaynor

(Continued on page 7)

Insiders' Outlook

(Continued from page 2)

ducer entry into the trailer field, meaning M-G-M. . . . The Apollo and the Hollywood, East Side houses in zones where Loew theatres hold sway, go to K-A-O. Sounds innocent enough, but behind is much significance in that their annexation marks the opening shots in the counter-barrage spouting from RKO guns. Watch for more. As a matter of fact, many more. . . .

KANN

McVickers, Shy on Pictures, Darkens

Chicago, July 22.—Unable to get product of sufficient drawing power to keep the house going as its advertised "home of big pictures," B. & K. have closed the McVickers. Officials explain that the move is only temporary and due to the product situation.

Expectation is that B. & K. will spot the new Mae West film to reopen the house when the film is finally available.

Beck Joins Ellman In Chicago 'Change

Chicago, July 22.—Clarence Beck, pioneer exhibitor and operator of several loop houses, has become associated with Henri Ellman in Capitol Film. Beck has acquired the interest of B. N. Judell. His theatres will serve as a loop outlet for Capitol, which, in addition to an array of features and shorts has just acquired 52 all-color one-reel subjects. Thirteen are new Mutt & Jeff cartoons.

Loew Men Shifted

Canton, O., July 22.—W. A. Finney, Loew's division manager, has made several managerial changes, all effective immediately.

L. Ward Farrar, for six months manager of Loew's here, has been shifted to the Palace, Indianapolis, along with W. O. Crouch, who has been assistant manager here. Farrar is succeeded by Kenneth A. Reid, for three years manager of Loew's Broad, Columbus. E. C. Colvin has been returned to the post of assistant manager. Russel Bovim, several years manager of Loew's Ohio, Columbus, has been made city manager in that city. Bovin, for more than four years, was manager of the local Loew house. Taylor Myers, until recently assistant manager of the Loew's Midland, Kansas City, has been shifted to Columbus as manager of the Broad there. He has been with Loew's for more than six years.

The changes are an outgrowth of the transfer of H. M. Addison, former Cleveland zone manager, to Boston.

Cleveland, July 22.—Officers and directors of Variety Club entertained H. M. Addison, out-going Loew division manager, with a boat ride on Ed Flanigon's new yacht. In the evening members attended a party at Flanigon's Frolics Club in honor of Addison. Col. Harry Long succeeds Addison in this division.

Shapiro Starts East

Hollywood, July 22.—Victor M. Shapiro, Hollywood manager of *Quigley Publications,* left on the Chief tonight for New York.

The HUM

With DORIS KENYON

Dickie Moore, Joseph Cawthorn, Reginald Owen, Betty Lawford, Charlotte Henry. Directed by Edward Buzzell.

Adolphe MENJOU

—more debonair, more heart-winning, more devilishly delightful than ever before, in the picture made from Christine Ames hit play exposing the "human side" of matrimonial separation . . . the problem of the children . . . the dilemma of an artful man-about-town who really loves his wife, but to whom outside theatrical interests have an ever greater attraction! . . . It's DRAMA tinged with delicious humor! . . . AND BOX-OFFICE ALL THE WAY!

AN SIDE

A UNIVERSAL PICTURE
Presented by
CARL LAEMMLE

"Baby" Good Kansas City Draw, $4,400

KANSAS CITY, July 22. — "Baby Take a Bow," while recording the smallest first run gross of the week, made the best comparative showing at the Uptown second week running, taking $4,400, which is $900 above average. "Shoot the Works" and "Personality Kid" were good for $6,000 at the Newman, while the Tower's bill consisting of "Smarty" and a stage show stood up well at $6,300, against $5,500 par. The Midland's initial try at double bills with "Laughing Boy" and "Lazy River" slumped to $8,700.

Total first run business was $31,400. Average is $32,000.

Estimated takings:

Week Ending July 10:
"COCKEYED CAVALIERS" (Radio)
"MURDER ON THE BLACKBOARD" (Radio)
MAINSTREET—(3,100), 25c, 7 days, plus Saturday late show. **Gross:** $6,000. (Average, $7,000.)

Week Ending July 12:
"LAUGHING BOY" (M-G-M)
"LAZY RIVER" (M-G-M)
MIDLAND—(4,000), 25c, 7 days, plus Saturday midnight show. **Gross:** $8,700. (Average, $10,000.)
"SHOOT THE WORKS" (Para.)
"PERSONALITY KID" (Warners)
NEWMAN (1,800), 25c, 7 days, plus Saturday late show. **Gross:** $6,000. (Average, $6,000.)
"SMARTY" (Warners)
TOWER—(2,200), 25c, 7 days, plus Saturday midnight show. Stage: "Gobs of Joy" revue, with these acts: Jed Dooley, Two Daveys, Jimmy Hadress, Kohn & Depinto, Gertrude Cartwright, Lester Harding. **Gross:** $6,300. (Average, $5,500.)

Week Ending July 13:
"BABY TAKE A BOW" (Fox)
UPTOWN—(2,000), 25c, 7 days, 2nd week. **Gross:** $4,000. (Average, $3,500.)

"Operator 13" on Dual Montreal Top

MONTREAL, July 22. — Box-office grosses for the week ending July 14 slipped several cogs because of the humid heat and increased desire for outdoor activities. The Capitol came out on top with $7,000, under par by $2,000, on "Operator 13" and "Upper World," while the Palace came through with $6,500 with "Return of Bulldog Drummond" and "Great Flirtation."

British film fans stuck by the Princess Theatre to the extent of $5,500 for "Aunt Sally" and "Turkey Time." With two features and vaudeville, the Imperial grossed $4,500, the attraction being British films, "Happy" and "Insult."

Total business was $29,500. Average is $43,000.

Estimated takings for the week ending July 14:

"OPERATOR 13" (M-G-M)
"UPPER WORLD" (Warners)
CAPITOL—(2,547), 25c-35c-40c-50c-60c, 7 days. Gross: $7,000. (Average, $9,000.)
"HAPPY" (British)
"INSULT" (British)
IMPERIAL—(1,914), 25c-40c-50c, 7 days. Stage unit of vaudeville. **Gross:** $4,500. (Average. $6,500.)
"THE KEY" (Warners)
"NO MORE WOMEN" (Para.)
LOEW'S—(3115), 25c-35c-50c-65c. 7 days. **Gross:** $6,000. (Average, $10,500.)
"THE RETURN OF BULLDOG DRUMMOND" (British)
"GREAT FLIRTATION" (Para.)
PALACE—(2,600), 25c-35c-50c-60c-75c, 7 days. **Gross:** $6,500. (Average, $11,000.)
"AUNT SALLY" (British)
"TURKEY TIME" (British)
PRINCESS—(2,272), 25c-35c-50c-65c, 7 days. **Gross:** $5,500. (Average, $6,000.)

"Take a Bow" Lead In Oklahoma City

OKLAHOMA CITY, July 22. — Hot weather and the western amateur golf championship gave first runs the lowest grosses they have had this summer. "Baby Take a Bow" with $4,800 was the only strong attraction in town.

"He Was Her Man" took $2,500 at the Liberty, which was somewhat better than average.

Total first run business: $12,100. Average is $13,500.

Estimated takings for the week ending July 14:

"MIDNIGHT ALIBI" (F. N.)
CRITERION—(1,700), 10c-20c-36c-41c-56c, 7 days. **Gross:** $3,000. (Average, $5,000).
"BABY, TAKE A BOW" (Fox)
MIDWEST—(1,500), 10c-26c-36c-56c, 7 days. **Gross:** $4,800. (Average, $4,000)
"LET'S TRY AGAIN" (Radio)
CAPITOL—(1,200), 10c-20c-26c-36c-41c, 7 days. **Gross:** $1,800. (Average, $2,500)
"FORGOTTEN MEN" (First Division)
LIBERTY—(1,500), 10c-15c-26c-36c, 4 days **Gross:** $900. (Average week, $2,000)
"HE WAS HER MAN" (Univ.)
LIBERTY—(1,500), 10c-15c-26c-36c, 3 days. **Gross:** $2,500. (Average week, $2,000)

"Winters," $4,000, Indianapolis High

INDIANAPOLIS, July 22. — With a take of $4,000 at the Circle, "The Life of Vergie Winters" took top honors here last week.

"The Key" ran along for a close second with $4,500 at the Lyric. "Born to Be Bad" took a par $4,000 at the Palace, and "Charlie Chan's Courage" was strong with $2,500 at the Apollo.

Total first run business was $15,000. Average is $10,000.

Estimated takings for the week ending July 14:

"CHARLIE CHAN'S COURAGE" (Fox)
APOLLO—(1,100), 20c-40c, 7 days. **Gross:** $2,500. (Average, $2,500)
"LIFE OF VERGIE WINTERS" (Radio)
CIRCLE—(2,800), 20c-40c, 7 days. **Gross:** $4,000. (Average, $3,500)
"THE KEY" (Warners)
LYRIC—(2,000), 20c-40c, 7 days. **Gross:** $4,500.
"BORN TO BE BAD" (U. A.)
PALACE—(3,000), 25c-40c, 7 days. **Gross:** $4,000. (Average, $4,000)

"Winters" Is Big in Frisco With $17,500

SAN FRANCISCO, July 22.—In spite of unsettled conditions due to the spread of the strike, "The Life of Vergie Winters" went over in a big way at the Golden Gate. It neared a house record opening day and piled up $17,500, over normal by $4,500, for the week.

"Change of Heart" also gave the Warfield a big week at $21,000, and "Little Miss Marker" took a good $6,500 in its second week. Elsewhere business was off.

Total first run business was $68,500. Average is $68,000.

Estimated takings:

Week Ending July 10:
"LIFE OF VERGIE WINTERS" (Radio)
GOLDEN GATE—(2,800), 25c-35c-40c, 7 days. Stage: Band. **Gross:** $17,500. (Average, $13,000)
"CIRCUS CLOWN" (Warners)
"THE GREAT FLIRTATION" (Para.)
PARAMOUNT—(2,670), 15c-35c-40c-65c, 7 days. **Gross:** $11,000. (Average, $12,000)

Week Ending July 11:
"I GIVE MY LOVE" (Univ.)
ORPHEUM—(3,000), 15c-25c-35c-40c, 7 days. Stage: "The Drunkard." **Gross:** $7,000. (Average, $9,000)

Week Ending July 12:
"SHOCK" (Monogram)
"MARRIAGE ON APPROVAL" (Ind.)
FOX—(4,600), 10c-15c-25c, 7 days. **Gross:** $5,500. (Average, $7,000)
LITTLE MISS MARKER (Para.)
ST. FRANCIS—(1,400), 15c-25c-40c-65c, 7 days, 2nd week. **Gross:** $6,500. (Average, $8,000)
"CHANGE OF HEART" (Fox)
WARFIELD—(2,700), 25c-35c-55c-65c, 7 days. Stage: Vaudeville, Band. **Gross:** $21,000. (Average, $19,000)

Louisiana Tax Fails

NEW ORLEANS, July 22.—The bill introduced in the state legislature placing a tax of 10 per cent on the gross receipts of all amusement places in Louisiana died in committee, the ways and means committee finding no time to take the bill up. This saves the exhibitors many thousands of dollars annually.

"Car" Is Fair In Dull Week At Pittsburgh

PITTSBURGH, July 22.—With Pittsburgh down to three first runs, business generally remains about the same. While the Catholic ban has not been felt very severely here, a combination of poor pictures and hot weather has made things pretty dull.

Last week, only the Penn managed to make any kind of showing at all and that was due to the stage show rather than the picture. The house had Benny Davis and his "Star Dust" revue to bolster "Murder in the Private Car" and the result was around $16,500, which, while not quite average, was considered satisfactory.

At the Stanley, "Shoot the Works" gathered only $7,000 and the Warner, with "Cockeyed Cavaliers" and "Let's Try Again," continued the town's subpar business with a rather indifferent $4,800.

Total first run grosses were $28,300. Average is $33,000.

Estimated takings for the week ending July 14:

"MURDER IN THE PRIVATE CAR" (M-G-M)
PENN—(3,300), 25c-75c, 6 days. Stage: Benny Davis and his "Star Dust" revue. **Gross:** $16,500. (Average, $19,000)
"SHOOT THE WORKS" (Para.)
STANLEY—(3,600), 25c-50c, 6 days. **Gross:** $7,000. (Average, $9,000)
"COCKEYED CAVALIERS" (Radio)
"LET'S TRY AGAIN" (Radio)
WARNER—(2,000), 25c-40c, 6 days. **Gross:** $4,800. (Average, $5,000)

J. E. Hennegan Retires

HAMILTON, July 22.—Joseph E. Hennegan, president of the Hennegan Co., one of the oldest show-print plants in the country, has retired, and will be succeeded by his son, John. The company claims distinction of having produced the first poster to be used for advertising films. It was a half-sheet for "The Passion Play," made more than 30 years ago for the old Lubin Co.

"Thin Man" Is Twin Cities' Best Grosser

MINNEAPOLIS, July 22.—Big business in the Twin Cities went to "The Thin Man" last week. It took $6,500, up by $1,000 in its second week at the State here, and it hit $7,000, above par by $1,500, in its first week at the St. Paul Paramount.

"Dr. Monica," "Cockeyed Cavaliers" and "Wild Gold" also did well in St. Paul, and "M" was $300 up at $2,300 in the Minneapolis World.

Minneapolis first runs were reduced to five by the closing of the Minnesota. The five remaining, usually getting $18,500, totalled $18,800, while St. Paul's four, usually grossing $14,000, got $17,200.

Estimated takings:

Minneapolis:

Week Ending July 12:
"NOW I'LL TELL" (Fox)
CENTURY—(1,650), 25c-40c, 7 days. **Gross:** $3,500. (Average, $4,000)
"WILD GOLD" (Fox)
LYRIC—(1,238), 20c-25c, 7 days. **Gross:** $1,500. (Average, $1,500)

Week Ending July 13:
"HIS GREATEST GAMBLE" (Radio)
RKO ORPHEUM—(2,900), 25c-50c, 7 days. **Gross:** $5,000. (Average, $5,500)
"THE THIN MAN" (M-G-M)
STATE—(2,300), 25c-40c, 7 days, 2nd week. **Gross:** $6,500. (Average, $5,500)
"M" (German)
WORLD—(400), 25c-75c, 7 days. **Gross:** $2,300. (Average, $2,000)

St. Paul:

Week Ending July 13:
"THE THIN MAN" (M-G-M)
PARAMOUNT—(2,300), 25c-40c, 7 days. **Gross:** $7,000. (Average, $5,500)
"DR. MONICA" (Warners)
RIVIERA—(1,200), 25c-40c, 7 days. **Gross:** $4,000. (Average, $3,500)
"COCKEYED CAVALIERS" (Radio)
RKO ORPHEUM—(2,000), 20c-40c, 7 days. **Gross:** $4,500. (Average, $4,000)
"WILD GOLD" (Fox)
TOWER—(1,000), 15c-25c, 4 days. **Gross:** $900. (Average, $800)
"GREAT FLIRTATION" (Para.)
TOWER—(1,000). 15c-25c, 3 days. **Gross:** $800. (Average, $700)

'Vergie' and 'Chan' Big in Cleveland

CLEVELAND, July 22.—Outstanding in a poor week here were "Charlie Chan's Courage," which did $5,300 at Warner's Hippodrome and "The Life of Vergie Winters," which garnered $11,000 in its second week at the RKO Palace.

"Little Man, What Now?" reached $2,500 in its second week at the Allen.

Total first run business was $31,400. Average is $34,000.

Estimated takings for the week ending July 13:

"LITTLE MAN, WHAT NOW?" (Univ.)
ALLEN—(3,300), 20c-30c, 30c-40c, 7 days, 2nd week. **Gross:** $2,500. (Average, $3,000)
"CHARLIE CHAN'S COURAGE" (Fox)
WARNERS' HIPPODROME—(3,800), 30c-35c-44c, 7 days. **Gross:** $5,300. (Average, $5,000)
"THE PERSONALITY KID" (Warners)
WARNERS' LAKE—(860), 30c-40c, 7 days. **Gross:** $1,200. (Average, $2,000)
"THE LIFE OF VERGIE WINTERS" (Radio)
RKO PALACE—(3,100), 30c-35c-44c, 7 days, 2nd week. **Gross:** $11,000. (Average, $10,000)
"SHOOT THE WORKS" (Para.)
LOEW'S STATE—(3,400). 30c-35c-44c, 7 days. **Gross:** $8.500. (Average, $10,000)
"THE GREAT FLIRTATION" (Para.)
LOEW'S STILLMAN—(1,900), 20c-30c-40c, 7 days. **Gross:** $2,900. (Average, $4,000)

Wisconsin Up In Arms Over Cancellations

(Continued from page 1)

ing cards to theatre operators advising them of the showing of indecent pictures and informing them that if the practice is continued the house will be placed on the blacklist. These same organizations are also sending messages of protest to the producer and the stars appearing in the objectionable films.

The independents' publicity is designed to point out that it is impossible for them to cancel undesirable pictures despite Will Hays' announcement to the contrary and that the producer owned houses should be discriminated against rather than the independents.

All parent-teacher associations in Milwaukee have been urged to form their own better films committee whose duty it will be to encourage parents in the cultivation of a taste for a higher type of entertainment.

K. C. Men Skeptical Over Cancellations

(Continued from page 1)

the step, "provided they are sincere and mean well," and said that potentially the move contained relief for independents. He fears, however, that not enough approved features are available to the subsequents right now and for that reason they will be compelled to use pictures listed as objectionable.

"The independent subsequents may become the 'goat' of this movement," said Means. "The public now will hold the exhibitor responsible whereas in the past the responsibility, because of block booking, was with the distributor."

A. F. Baker, ex-president of K. M. T. A., is disturbed over the effects of the development on the small town exhibitor. Should the small town operator, making three or four changes weekly, cancel objectionable films, he would find himself in a difficult spot, without sufficient product to permit continuous operation, Baker believes. He also sees the responsibility for clean films laid at the doors of the theatre.

MPTO to Sift Film Comment for Studios

(Continued from page 1)

interested in having this project established. It is particularly important now that the studios are changing their course into uncharted fields in picture production so that they can know promptly and reliably the audience reaction to their new pictures.

"The studios are vitally interested, perhaps now as never before," the bulletin continues, "in knowing exactly what scenes, dialogue, incidents, themes, characters, titles, etc., please or displease theatre patrons and the public. They also want reliable information on players and other talent that is popular or unpopular, what types of stories are wanted as indicated by the reception given specific pictures; whether stories with songs and music are wanted, and what scenes or situations in pictures played should not be repeated in future pictures."

No publicity will be given the reports received by the committee from exhibitors, it was stated in urging the exhibitors to comment frankly and specifically in making reports.

The bulletin reports a spread of anti-double feature sentiment among exhibitors and makes the charge that '"certain double feature producers are setting up rival exhibitor organizations" in some localities to counteract the trend against double features.

Commenting on a recent article by R. H. Cochrane, vice president of Universal, in which the exhibitor's right to double feature was defended, the M. P. T. O. A. bulletin says:

> "We have no quarrel with Mr. Cochrane over the matter, if he prefers to promote double features that's his business. If other distributors refuse to license their own pictures for double feature exhibitions, it seems to us that is not the affair of double feature producers. M.P.T.O.A. believes that where the majority wants double features it should have them; but even where double featuring prevails, the big majority doesn't want it out can't quit because of competitive conditions. We can hardly believe that Mr. Cochrane is so naive as to actually believe that an exhibitor has the "right of individual decision" when the theatre across the street shows two features for the same admission as the single feature house.
>
> "If the competing exhibitor won't cooperate with his fellow exhibitors," the bulletin concludes, "the only thing to do is to make him behave or give him a dose of his own medicine. Otherwise, he will steal all your business away just as any other cut-throat competitor would."

Church Board Would Displace Hays Ass'n

(Continued from page 1)

today to a meeting of the Interfaith Committee of Catholics, Protestants and Jews.

The plan is said to be intended as the basis for a national program of film control and designed to supplant the MPPDA.

"We are convinced that the motion picture can no longer be regarded as a private undertaking," said Dr. Sidney E. Goldstein, who presided at the meeting. "It is therefore both logical and legitimate to insist that this enterprise shall be controlled and developed not by a group of individuals responsible only to themselves, but by a joint board in which the ministry of America, the public and the industry itself shall be represented.

"We believe this joint board should be charged with the responsibility first of all of developing and determining the policy that is to govern the industry and the code of ethics that is to guide motion picture production.

"It could then appoint an executive staff to supersede the Hays organization and to translate that policy and code of ethics into action and practice."

St. Louis to Abide By Legion, Council

(Continued from page 1)

and concerted objection, it was decided at a meeting of the organization here.

The Association went on record earlier as favoring the cancellation of "The Life of Vergie Winters," "Laughing Boy," "Born To Be Bad," "Kiss and Make Up" and "Here Comes the Groom," all of which were objected to locally by the two groups recognized by the organization.

The exhibitors' meeting also favored holding regular confabs to designate cancellations.

Fred Wehrenberg, president of the organization, warned the meeting of the danger of Federal censorship in the event exhibitors did not make "some sacrifices" and a genuine effort to comply with the dictates of decency organization.

MOTION PICTURE DAILY'S HOLLYWOOD PREVIEW

(Continued from page 3)

fans will enjoy. Most of the comedy is provoked by Janet's kitchen and cooking antics.

The cast is of top rank. Walter Connolly, as Miss Gaynor's father, and Ned Sparks, as her sour-faced employer, get big laughs. Frank Lloyd's direction is expertly keyed for tempo and quality.

A dream sequence (a color cartoon done by Walt Disney) will be added to the picture. It will show what Janet dreams when she falls asleep over her dishes.

Being light and romantic, with Gaynor charm, the picture is well geared for first run business and subsequents should mop up. Running time, 84 minutes.

"Brides of Sulu"

(Exploration Pictures)

HOLLYWOOD, July 22.—The only virtue of this glorified travelogue is the picturization of the customs of the natives on the Islands of Jolo and Mindanao in the Philippine Archipelago, plus some beautiful scenes by Cinematographer Harry Anderson.

The story, loosely woven together, deals with Kapura, daughter of the sultan of Sulu, in love with an unbeliever, Arsan. When the sultan promises his daughter to another, Arsan and Kapura elope to a neighboring island where they are finally captured and returned to the island of Jolo for punishment. Kapura, however, persuades her father to allow her to marry Arsan if he will change his faith. The happy ending is weak and unconvincing after the picture's efforts to establish the hatred of the people of Jolo for Arsan's Christian faith. Superimposed dialogue could be better.

The picture was directed by John Nelson under the supervision of Jesse J. Gilbert. Musical supervision by A. L. Meyer rates honor.

Hardly a program picture. Running time, 67 minutes.

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"Bank Nights" Fuss Persists Though O.K.'d

Kansas City, July 22.—Although it is a case of one up for those who have maintained "Bank Nights" constitute no lottery, decision of Attorney General Roland Boynton that the practice is legal in Kansas is not expected to end the fight over the issue in ranks of local independents.

The attorney general ruled "Bank Nights" are out of legal entanglements, basing his decision on a new form of contract and on the fact no ticket purchase is necessary in their connection. Next step, scheduled for airing Monday, involves the grievance board and a question of legality insofar as the code is concerned.

One exhibitor faction, through code machinery, has been seeking to have "Bank Nights" declared a lottery and has enlisted the aid of the Better Business Bureau. The other camp, including exhibitors using the plan, contends it is legal and has brought voluminous evidence to support the plan, which is now vastly strengthened by the attorney general's ruling.

Single Decision in Existence

The only court decision in existence directly bearing on the scheme was that of a district court which dismissed a case against an exhibitor in the Oklahoma City territory, brought by a county attorney on lottery charges. The court held there was no violation of the state laws since participants did not have to buy a ticket to be eligible for the cash prize, therefore the element of consideration was not involved, according to attorneys for Affiliated Enterprises, Inc., of Denver, which owns the copyrights.

Numerous other court decisions have been cited, both for and against the plan's legality, but these relate entirely to other, and similar schemes. Leland Hazard, counsel for complaining exhibitors, has been advancing what he terms a decisive decision in which the court held there does not have to be a monetary consideration involved, but that the advertising consideration which draws people to the business establishment is sufficient to constitute the plan a lottery.

Decisions Part of Record

All pertinent decisions are already part of the record in the case heard by the local grievance board on complaint of Mrs. A. Baier against E. S. Young of the Roanoke, the first exhibitor to use "Bank Nights" in Kansas City. In addition, complainant counsel introduced as evidence earlier opinions by the attorney generals of Kansas and Missouri which declared the plan a lottery. Counsel for Affiliated Enterprises has contended state officials did not have all the facts and court decisions when preparing their opinions and recently has conferred with the attorneys general of both states.

The original opinion of Boynton was given to the Kansas-Missouri Theatre Ass'n several months ago at the request of members, and at that time was printed in full in Motion Picture Daily.

Variety Club Chatter

Albany

Albany, July 22.—Barker Tracy Barham has resigned as booker for Warners and is expected to return to Florida and renew affiliations with the Sparks Circuit.

During the past few weeks, many out-of-town barkers have visited the local tent. Most prominent among them were Bob Smeltzer of Washington, George Roberts of Cleveland and Sidney Sampson of Buffalo.

Ben Dare, Fox booker and Sam Rosenblatt, Rensselaer exhibitor, have been installed as barkers, making the roster now total 71.

The Saturday and Sunday night open house events are becoming very popular, despite the summer weather.

Second Assistant Chief Barker Sauber has returned from Washington. While in the capital district he visited the headquarters of Tent No. 11, and also renewed acquaintances along Film Row. Sauber hails from Washington.

Barkers Smackwitz, Grassgreen, Alexander and Herman can be seen every week-end on the links trying to master the game of golf. This quartette makes a snappy foursome, the winner being determined by the one who masters the art of forgetting to count all the strokes.

Chief Barker Buckley has returned from a 10 days' fishing trip in the Adirondacks, and Barker Tom Shea is back in harness after vacationing in Perth Amboy, N. J.

Cincinnati

Cincinnati, July 22.—Barker Cliff Boyd, skipper of the RKO Albee, spent his vacation in the east renewing acquaintances with the family back home.

P. J. ("Pete") Wood, business manager of the Independent Theatre Owners of Ohio, and a live wire member of the Columbus tent, gave Cincinnati the once over recently.

Pittsburgh

Pittsburgh, July 22.—Rabbi Halperin has been appointed club chaplain in place of Rabbi Glazer, who has been assigned to New York with Dr. Goldenson.

Father Garrahan has been appointed the new Catholic chaplain, succeeding Rev. Jas. Delaney, resigned.

Dr. Homer Flint, Protestant chaplain, has been again appointed for his seventh consecutive year.

Sir Frederic McGill of Philadelphia, better known as Ernest Du Pille, a guest of the printers' luncheon, headed by Frank Smith, Lou Azorsky, Joe Wagman and Sam Askenase. District Attorney Andy Park was the honored guest who gave a fine address.

Tomorrow is Musicians' Day. George Curry, Jerry Mayhall, Dave Broudy and Bernie Armstrong are the kings. Their feature act will be a piano player playing the piano while on his head.

Harry Goldstein rushing in and out of the district from city to city. The date of the big affair of all Variety Clubs is set for Oct. 14—the Variety Club of Pittsburgh banquet. The date is set for the day after the Pitt-California football game and it is the prediction of those concerned that it will be its biggest affair.

Washington

Washington, July 22.—Guest of honor at the weekly luncheon of Tent No. 11 was Division Administrator Sol A. Rosenblatt.

Kings-for-the day A. Julian Brylawski and Rudolph Berger presented talent from the Earle and Loew's Fox, including Leo Carrillo. Wesley Eddy, who once was master of ceremonies at Loew's Palace for 85 consecutive weeks; Vincent Lopez, and the Mountaineers.

Cleveland's Initial Appeal Up August 2

Cleveland, July 22.—Campi will hear the first appeal case out of Cleveland Aug. 2, according to word received from John C. Flinn, executive secretary of Code Authority. This is the case of Auburndale Theatre Co., East Side Amusement Co., Loew's Valentine and Adams Theatres, Inc., all of Toledo, against Airo-Vita, Inc., also of Toledo, charging non-theatrical competition.

Since the protest was heard by the Cleveland grievance board and certified to Campi for a decision, Swayne Field Ball Park, about which the protest centered, has closed.

Wick Code Assentor; Buffalo Case Ended

Buffalo, July 22.—Edwin Wick of the Majestic, who lost his long-drawn-out reduced admission case on an appeal to Campi, has signed an NRA code assent, thus ending the case, it is believed. Campi gave Wick until July 25 to comply with a Buffalo grievance cease and desist order, or have film deliveries stopped.

N. O. Protest Pends Over Clearance Plan

New Orleans, July 22.—United Theatres with 18 houses; Loew's State, Coliseum and Imperial, have filed protest with local code authorities over clearances. It was understood that the protest could be filed within 30 days. Now a later ruling makes it five days. The matter probably will have to be thrashed out in New York.

End "Courtesy" Passes

Cleveland, July 22.—A "cease and desist" order has been issued by the grievance board against Victor Wolcott, ordering him to stop any further distribution of "courtesy" passes to the Temple. The passes, with a five cent change, were issued with the recent opening of the house with double features. It is the only theatre in Greater Cleveland now playing duals.

B. & K. Appeal Zoning

Chicago, July 22.—B. & K. have filed an appeal from the determination of the local clearance and zoning board which voted against modification of the present releasing system asked by the circuit.

See Hurdles Confronting Percentages

(*Continued from page* 1)

suggestion in view of existing contracts, followed by the immediate conclusion that, if and when found acceptable, the application never could be given a uniform starting date and would have to await completion of personal service contracts now in force. By the time such a day arrived, this man continued, there might not be any NRA and so no necessity to turn attention to the recommendations of any of its administrators.

Unexpressed, but extremely important in any discussion on a swing toward percentage contracts for talent in wholesale, is the system of selling pictures in block. Many distributors always have maintained one of their objections to percentage deals has been their anticipation that such an arrangement would prove more troublesome than beneficial; that a percentage contract star is apt to be interfering with the audit system; that inevitably there would be disputes over returns involving such a star's pictures and other pictures, not made on percentage but sold in the same block. It is known that, as a result, distributors who lean toward this point of view figure straight salary deals are to be preferred, although the terms may be higher.

So far as could be learned over the week-end, Rosenblatt's suggestion has brought about no plan to go into meeting to air advisability of its consideration. Will Hays is in Hollywood and Rosenblatt starts for the film capital today. It is entirely probable, therefore, that preliminaries may be launched not in the east but in the west if they are to be launched at all.

Grosses in 2 Years Decline $88,540,917

(*Continued from page* 1)

While distributing companies showed a profit of $842,234 at the end of 1931 and a loss of $293,541 for 1932, they succeeded in wiping out the loss and rolling up a profit of $107,678 by the end of last year.

Producing and distributing companies reported gross receipts of $258,815,862 for 1931; $209,022,769 for 1932 and $197,418,377 for 1933, or a steady decline. In 1931, their profit was $15,154,241; in 1932 a loss of $26,022,328 was reported but this was reduced to $9,481,361 for 1933. These figures are representative of the entire division and do not take into account individual companies, at least in this classification.

Shift Buffalo Century

Buffalo, July 22.—Buffalo Theatres, Inc., successor to Shea Theatres Corp., has consolidated its position downtown by taking over Shea's Century under a new lease. Preliminary to the new deal, an eviction suit for non-payment of $13.000 back rent was instituted in Buffalo City Court by Midland Properties, Inc., owners of the Century—a legal maneuver to take possession from the Erie Operating Co., old Shea subsidiary.

The Leading Daily Newspaper of the Motion Picture Industry

MOTION PICTURE DAILY

Alert, Intelligent and Faithful Service to the Industry in All Branches

VOL. 36. NO. 19 | NEW YORK, TUESDAY, JULY 24, 1934 | TEN CENTS

NRA Denies Code Appeal; Self-Regulation Upheld

New Nebraska Trust Suit on Zoning Filed

Three Exhibitors Seek $156,000 Damages

Lincoln, Neb., July 23.—Owners of theatres in three small Nebraska towns have filed suit against major distributors in U. S. District Court here for damages aggregating $156,000, for alleged violation of the anti-trust laws by enforcing zone agreements.

The suits are filed by the same attorneys who won the Youngclaus suit for an injunction against the zoning agreement set up by the Omaha Film Board in 1930. The claim is made that the zoning agreement is being enforced in spite of the injunction, and that the plaintiffs' theatres have lost patronage.

The plaintiffs are C. N. Robinson of Blair, Eric Wesselman of Pierce and G. G. Griffin of Plattsmouth. Blair and Plattsmouth are in the Omaha zone and Pierce is in the Norfolk, Neb., zone.

Says Local Aid Is Cancellation Aim

Answering the charge made in a letter addressed to him last week by W. A. Steffes, president of Allied Theatre Owners of the Northwest, that the privilege granted exhibitors of cancelling films held indecent by organized public opinion tended to encourage local censorship, C. C. Pettijohn, counsel for the Hays organization, has written to the exhibitor leader that the sole purpose of the cancellation idea was to permit exhibitors "to do what they thought in their best judgment was necessary to give their

(*Continued on page* 12)

Para. Goes Sound; Capitol Pool Off

The Paramount Theatre drops stage shows and goes all sound beginning Aug. 17. Aside from its

(*Continued on page* 10)

In September

Indicating Paramount's anticipation that the Mae West film will be dry cleaned sufficiently for release in the fall is a September date set aside for the picture at the Paramount here.

Zukor Due Today on Studio Plans, Para. Reorganization

By VICTOR M. SHAPIRO

Aboard the 20th Century Limited, Toledo, O., July 23.—Adolph Zukor arrives in New York Tuesday morning on what he describes as a trip to coordinate Paramount's studio activities with the home office and to lend aid to the company's reorganization.

He says he is gratified with the response of writers, producers and directors to the strengthened moral code.

A new spirit is permeating the studio from stars to the rank and file, he added, and morale is better than it has been at any time for the past three years.

Fox Met Move Aimed at Full Bond Payment

The belief that Fox Metropolitan Playhouses may eventually return bondholders dollar for dollar on their investment is all that motivated the holders who applied for reorganization of the circuit under the new bankruptcy laws late last week, Archibald Palmer, attorney for the group, said yesterday.

Palmer declared that his clients, three in number, represented about $14,000 of Fox Met bonds. He stated

(*Continued on page* 11)

Control Passes on Three in St. Louis

St. Louis, July 23.—The Ambassador, Missouri and Grand Central Theatres were taken over by Allan Snyder and Harry Koplar yesterday morning. The Ambassador and Missouri were closed and will reopen August 4 under Fanchon & Marco management.

Plans for the Grand Central are

(*Continued on page* 11)

Fox Closes Deal on 22 for Music Hall

John D. Clark, general manager of distribution for Fox, yesterday closed a contract with the Radio City Music Hall for 22 of his company's films next season.

Churches Here To Widen Film Cleanup Drive

New York City's drive for clean films will be extended into Westchester, Hudson and other adjoining counties as a result of a vote taken yesterday at a meeting of the inter-faith committee in the rectory of Holy Cross Church.

Details of the extension plans will be worked out at a meeting to be held Aug. 6, to which representatives from

(*Continued on page* 12)

Warner Reiterates Stand on Boycott

Chicago, July 23.—Harry M. Warner agrees with Postmaster General Farley that pictures should respond to public sentiment, but nevertheless he considers it unfair for opinion-moulding bodies to urge confiscation of property.

His opinion on this point was re-

(*Continued on page* 10)

Warners Take Over Allen in Cleveland

Cleveland, July 23.—Warners have taken over the Allen from Myer Fine, Abe Kramer, P. E. Essick and Max Lefkowosh. A formal announcement will be made as soon as papers, now in preparation, have been signed. The house closed Sunday night. This gives Warners three local downtown theatres.

Johnson Interpretation Of Executive Order Used as Basis

The first decision invoking General Hugh S. Johnson's interpretation of the executive order last December, an interpretation assuring the industry self-regulation in code affairs by denying individual appeals from Campi decisions, was made by Division Administrator Sol A. Rosenblatt recently in denying a petition of the Jefferson Amusement Co., Victoria, Tex., for a review of a final determination by Campi in an overbuying case decided against Jefferson, it was disclosed yesterday.

Rosenblatt's refusal of a review of the Campi findings establishes a precedent under which Campi's determinations in individual cases are recognized as final.

The review of the Campi findings and decision was sought by Sol E.

(*Continued on page* 11)

Tax Receipts Show Gains by Theatres

Washington, July 23.—Theatrical attendance has been on the upgrade during the past year, it is indicated by Internal Revenue Bureau figures.

Admission tax collections for June were $1,597,238. For June, 1933, the total was $1,000,751.

Receipts from the admissions tax declined nearly $1,000,000 during the fiscal year ended June 30 as compared with the preceding year, the bureau reported, collections amounting to $14,613,414 as against $15,520,512.

Report Giannini May Handle Salary Study

Hollywood, July 23.—It is reported here that Dr. A. H. Giannini is being considered by Division Administrator Sol A. Rosenblatt to head a committee to investigate Hollywood salaries and look into the possibility of setting up a royalty basis for creative talent.

More Data

Additional statistical highlights of the Rosenblatt salary report on page 10 today.

MOTION PICTURE
DAILY

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"Gods Destroy" Gets $62,000, Music Hall

"Whom the Gods Destroy" was the top grosser in town last week, drawing $62,000 with the aid of a stage show at the Music Hall.

Other grosses for the week were:

Capitol—"Stamboul Quest" (M-G-M) and stage show, $31,456.

Paramount—"Old-Fashioned Way" (Para.) and stage show, $24,500.

Strand—"Man With Two Faces" (F.N.), $11,631.

Roxy—"Baby, Take a Bow" (Fox) and stage show, $20,250.

Palace — "Of Human Bondage" (Radio) and vaudeville, $16,200.

West on Advertising

Lester Thompson, assistant to J. J. McCarthy, left for Hollywood yesterday for studio conferences on the work of the advertising advisory council.

Leo Abrams on Job

Leo Abrams, manager of the "Big U" exchange, returned to his desk yesterday following a nine weeks' illness. He was gravely ill for a time.

Re-Sign James Whale

HOLLYWOOD, July 23.—Universal has renewed its option on James Whale for another year. His next picture will be "Within This Present."

Hubbard Headed East

HOLLYWOOD, July 23.—Lucien Hubbard, M-G-M producer, is on his way east for a vacation in Europe.

Insiders' Outlook

THE *New York Times*, reflecting the dubious merit of maintaining its consistently unfriendly attitude toward motion pictures at large, yesterday streamered the flat statement that John Dillinger, bandit shot to death as he emerged from a Chicago theatre Sunday night, had been "trapped by lure of moving picture depicting gunman career." Undoubtedly next will be the conclusion Dillinger was persuaded to embark on his career of murder and robbery by the pictures he had seen in the past. All of this reminds once again that a job remains to be done by the organized industry in convincing the press of the nation to turn more sympathetic and cooperative where films are concerned. Proper criticism where facts justify such criticism is neither to be avoided nor discouraged. Pot shots merely because this is the sort of industry which is peculiarly susceptible do not belong. This business is large enough and an important enough customer of newspapers at large to strike out determinedly for a more honest break. . . .

▼

Difficult as it is to keep in check pokes which develop on the outside, it is high time producers stiffen their spinal columns and do something when cheap tricks, heaping up further opprobrium, develop from the inside. We mean by that the press association yarn hinting with as much subtlety as it would take to cover the broad side of a barn that Lupe Velez and Johnny Weismuller planned a divorce. Yesterday, writing from Hollywood, the usually well-informed columnist, Sidney Skolsky, said in the *Daily News:* "Lupe Velez is now confiding to friends that the divorce yarn was just a 'beeg pooblicity stunt.'" If that's a fact, Miss Velez ought to have her Mexican fanny spanked so hard she'll remember it, as well the desire for cheap publicity headlines that precipitated the lashing. . . .

▼

Warning to theatremen: new style gyp being worked in the Middle West and apt to spread elsewhere. Patron usually feminine, buys ticket, enters theatre. After the show, puts in a frantic call for the manager, turns on the faucet and tearfully informs she's been robbed. Insists on payment for her loss, regardless of whether theatre is responsible or not. "In Chicago and in Ohio, theatres always do that," runs the spiel. Where tried, manager usually says he'll report the incident to headquarters. Faker goes from tears to near hysterics, demands payment on threat to call in the police and never overlooks hinting the publicity won't do the theatre any good. In one instance, an on-his-toes manager allowed a woman to visit the station house. Only she didn't. She hopped a fast train out of town, after being spotted as the same woman who pulled an identical stunt in Chicago. The blackout came through a lucky break: The manager was the same in both theatres. . . .

▼

Tip, some weeks old now, that political censorship was taking on new activity is verified by distributors in New York. Fearful that the church campaign is punching their activities full of holes, many censor boards, once easy, are now getting hard to handle. Arbitrary shearing bodies, by the same token, are turning more arbitrary. Privately, much has been voiced in New York in the last few days on the hell-raising spree rampant in Ohio. What the censors are confronted with is really simple. This it: If they have been functionally as theoretically they should have, the church movement could not have reached its present proportions. Apply this for the answer to what is happening in states and cities where censorship is on the statute books. . . .

▼

Icy blasts hitting torrid Times Square through the lobby of the Paramount one day last week were tinged with a fish odor, strongly reminiscent of herring. "That was no herring. It was the picture that smells that way," rejoined a curbstone cowboy. . . . Ben Hecht and Charlie MacArthur, producers now, strolled along the Coney Island front recently. A couple of members of the *genus* moron drinking in a sideshow harangue attracted their attention. Their next appearance was at Eastern Service during the final week's shooting on "Crime Without Passion" on the set in front of the cameras and in two chairs marked, "Supervisors, don't disturb." Hollywood papers, please copy. . . .

KANN

Most on Big Board Decline

	High	Low	Close	Net Change	Sales
Columbia Pictures, vtc	27	25⅛	25⅛	—1⅝	1,400
Consolidated Film Industries	3	2⅞	3	+ ⅛	400
Consolidated Film Industries, pfd	12½	12	12¼	— ⅛	100
Eastman Kodak	100	97½	97½	—1½	500
Fox Film "A"	10½	8¾	9	—1½	2,400
Loew's, Inc.	25¾	23⅜	23½	—2⅛	6,900
Loew's, Inc., pfd	85	85	85	—3½	100
Paramount Publix	3⅛	2¾	2¾	— ¼	2,500
Pathe Exchange	1¾	1½	1½	.....	1,000
Pathe Exchange "A"	17	15⅜	15¾	— ¼	1,100
RKO	1¾	1½	1½	— ½	800
Warner Bros.	4	3½	3⅝	— ⅛	8,800

Technicolor Drops ¾ on Curb

	High	Low	Close	Net Change	Sales
Technicolor	13¾	13	13	— ¾	600
Trans Lux	1⅜	1⅜	1⅜	.....	300

Paramount Publix Bonds Off 2⅝

	High	Low	Close	Net Change	Sales
General Theatre Equipment 6s '40	6½	6	6	— ⅝	5
General Theatre Equipment 6s '40, ctf	7	7	7	.....	1
Loew's 6s '41, ww deb rights	100	100	100	.....	2
Paramount Broadway 5½s '51	38¼	38¼	38¼	— ¼	2
Paramount Publix 5½s '50	44⅛	43⅜	43⅜	—2⅝	11
Pathe 7s '37, ww	99½	99½	99½	.....	2
Warner Bros. 6s '39, wd	53	51½	51½	—1¾	40

Purely Personal

GLIMPSED at the Tavern around lunch time yesterday:

JOHN C. FLINN, NATE SPINGOLD, JACK COHN, JACK PARTINGTON, MYKE LEWIS, JAMES A. FITZPATRICK, FRED C. QUIMBY, LOU GOLDER, TOMMY MEIGHAN.

HOWARD DIETZ, all better now; PHIL REISMAN, MORTON SPRING, EUGENE ZUKOR, AUSTIN KEOUGH, HAL RODNER, ED SCHNITZER, JACK SHAPIRO, HARRY BRANDT, HERMAN and JOHN ZENKER, LAWRENCE BOLOGNINIO, LEO LUBIN and I. PERSE were among the luncheoneers at the M. P. Club yesterday.

KING VIDOR, producer and director of "Our Daily Bread," which United Artists will distribute, gets into town today.

FRANKIE THOMAS, 12-year-old, who last appeared in the show, "Wednesday's Child," left yesterday for Hollywood to begin work for Radio.

GLENDA FARRELL is recuperating at Polyclinic Hospital today from an appendicitis operation performed yesterday.

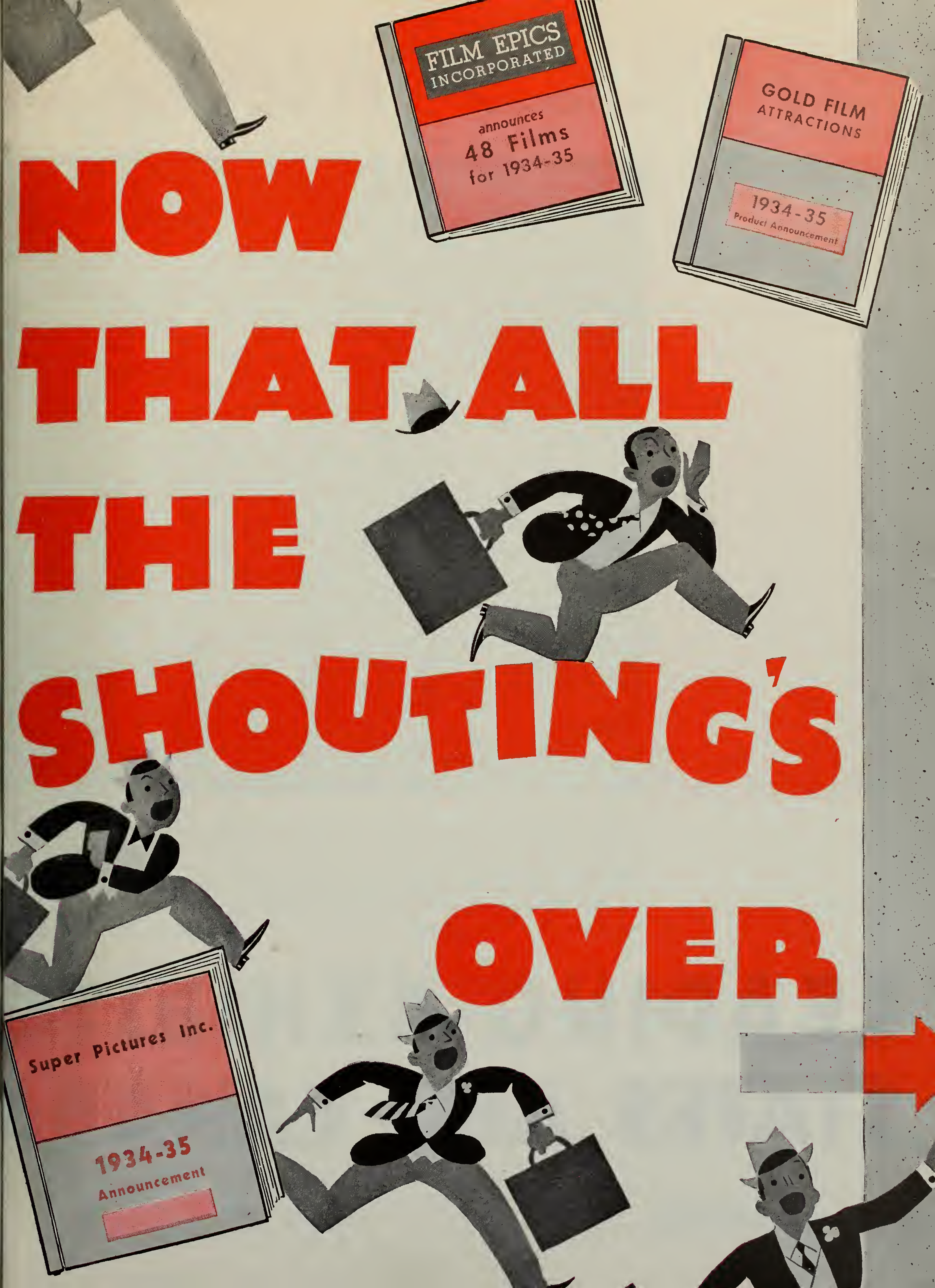
PATSY KELLY, who has been starring in Hal Roach comedies of late, reached town yesterday on a vacation trip.

ROBERT ARMSTRONG and ERNEST WOOD are in town from the coast. They're stopping at the Warwick.

PETER LORRE, continental actor, arrives today on the *Majestic* on his way to the coast to work for Columbia.

ROSCOE ATES begins work today at the Brooklyn Vitaphone plant in a two-reel comedy.

LOU B. METZGER is back from San Diego and has opened an office in the Godfrey Bldg.


NOW THAT ALL THE SHOUTING'S OVER
FILM EPICS INCORPORATED
announces 48 Films for 1934-35
GOLD FILM ATTRACTIONS
1934-35 Product Announcement
Super Pictures Inc.
1934-35 Announcement

"WE'LL STRING A

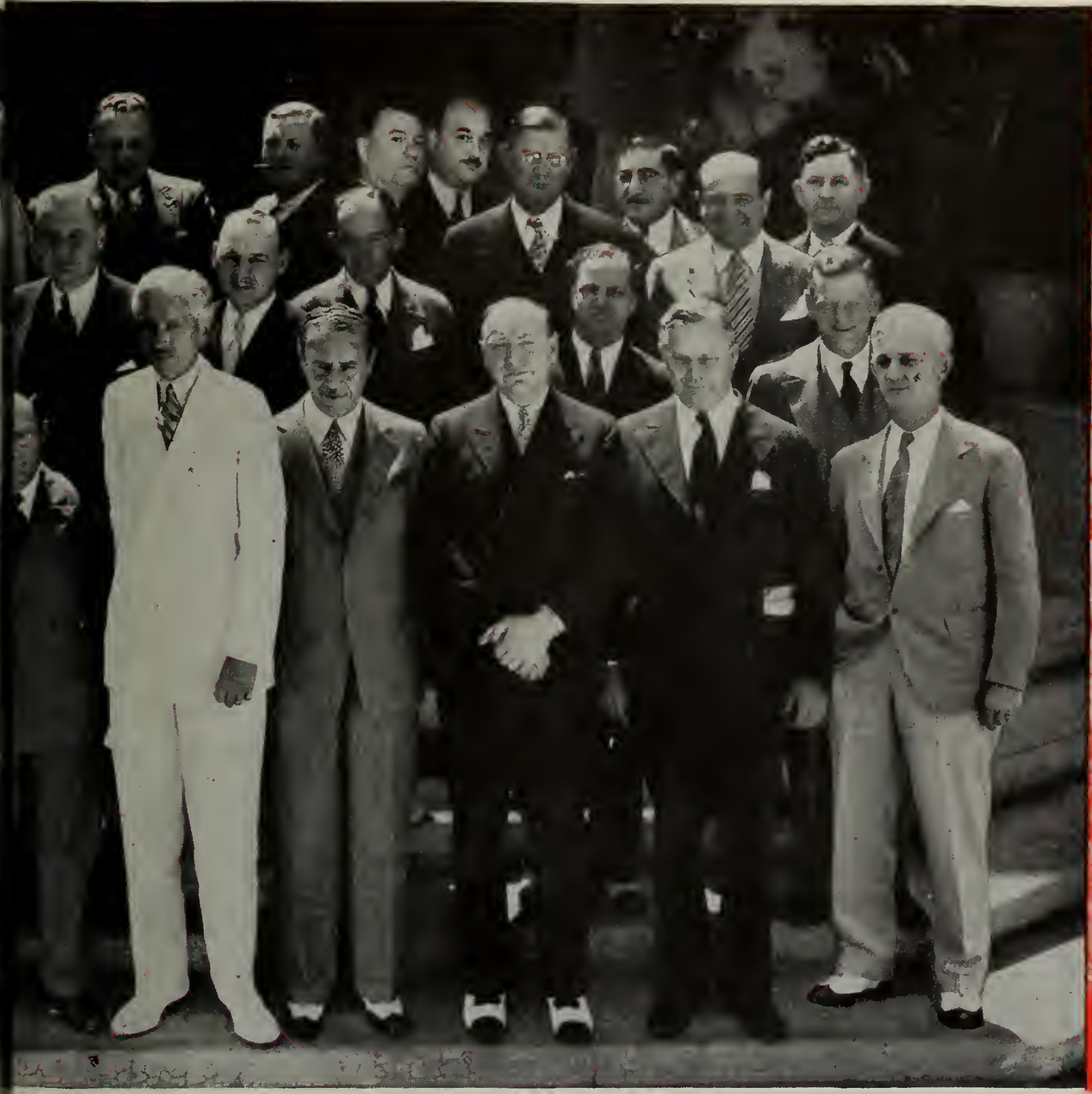
Leading exhibitors of the United States and Canada, representing 1500 theatres, tell Paramount executives of their confidence in forthcoming product. In this group are:

First Row: Nathan Goldstein, Springfield, Mass.; Ralph Branton, Omaha; John Balaban, Chicago; M. A. Lightman, Memphis; Adolph Zukor; Emanuel Cohen; Carl Hoblitzelle, Dallas; Sam Dembow, Jr.; N. L. Nathanson, Canada; M. B. Comerford, Scranton; Harry Nace, Phoenix.

Second Row: H. L. Kincey, Charlotte; J. R. Blank, Des Moines; George Zeppos, Wheeling; Bob

LEADING EXHIBITO
STATES AND CANADA

LONG WITH YOU"



Wilby, Alabama & Tennessee; Bob O'Donnell, Dallas; George J. Schaefer; P. K. Johnston, Dallas; Hunter Perry, Charlattesville; J. Clemmens, Beaumont; Louis Marcus, Salt Lake City.

Third Row: W. K. Jenkins, Atlanta; Col. Lucas, Savannah; Barney Balaban, Chicago; E. V. Richards, New Orleans; John Friedl, Minneapolis; A. H. Blank, Des Moines; Marty Mullin, Boston; Sam Pinanski, Boston; Harold Robb, Dallas; M. Ruben, Chicago; Carl Linz, Dallas; E. Rowley, Little Rock.

Back Row: Carl Bamford, Asheville.

RS OF THE UNITED
TELL PARAMOUNT

...for they know that →

PARAMOUNT'S

*Only players that are reaching

and PARAMOUNT STARS will

MAE WEST	2 pictures • • • **"Gentlemen's Choice"** • • • and one other
marlene DIETRICH	2 pictures • • • **"The Scarlet Empress,"** with John Lodge, Sam Jaffe, Louise Dresser. Directed by Josef Von Sternberg • • • and one other as yet untitled
claudette COLBERT	3 pictures, including Cecil B. De Mille's **"Cleopatra"** • • **"Are Men Worth It?"** • • **"The Gilded Lily"**, with Cary Grant and a star cast
GARY COOPER	4 pictures, including **"Now and Forever,"** with Carole Lombard and Shirley Temple • • • **"Lives of a Bengal Lancer,"** with Richard Arlen, Katherine De Mille, Cary Grant and Sir Guy Standing • • • **"20 Hours by Air,"** with Carole Lombard and another picture to be announced
BING CROSBY	3 pictures, including **"She Loves Me Not,"** with Miriam Hopkins, Kitty Carlisle, Lynne Overman, Warren Hymer • • • **"Here Is My Heart,"** with Kitty Carlisle • • • **"Sailor Beware"** with a star cast
W. C. FIELDS	3 pictures, including **"Mississippi,"** with Lanny Ross and Evelyn Venable • • • **"Love Thy Neighbor"** • • • **"Back Porch"** with a cast to be selected
CARY GRANT	4 pictures, including **"Ladies Should Listen,"** with Frances Drake, Edward Everett Horton, George Barbier, Charles Ray • • • **"Lives of a Bengal Lancer,"** • • • **"Eyes of the Eagle,"** with Frances Drake • • • and one other
MIRIAM HOPKINS	• • • **"She Loves Me Not,"** with Bing Crosby; and other pictures
charles LAUGHTON	1 picture • • • Harry Leon Wilson's hilarious classic **"Ruggles of Red Gap,"** with Charlie Ruggles, Mary Boland. Directed by Leo McCarey

if it's a PARAMOUNT PICTURE

STAR LIST *is* *HOT

the peak of popularity.

make these Pictures in 1934-35

carole LOMBARD	4	pictures, including **"Now and Forever,"** with Gary Cooper and Shirley Temple • • • **"Rhumba,"** with George Raft • • • **"Case Against Mrs. Ames,"** with Lee Tracy • • • **"20 Hours by Air,"** with Gary Cooper
JOE PENNER	1	**"College Rhythm,"** with Lanny Ross, Richard Arlen, Joe Morrison, Lyda Roberti. Directed by Elliott Nugent
GEORGE RAFT	4	pictures, including **"Limehouse Nights,"** with Anna May Wong and Montague Love • • • **"Rhumba,"** with Carole Lombard • • • **"One Night Stand,"** with Ben Bernie and one other picture to be announced
LANNY ROSS	3	pictures, including **"College Rhythm,"** with Joe Penner, Jack Oakie, Lyda Roberti, George Barbier • • • **"Mississippi,"** with W. C. Fields • • • **"Big Broadcast of 1935"**
SYLVIA SIDNEY	3	pictures, including **"Desire"** • • • and two others to be announced
LEE TRACY	3	pictures, including **"Case Against Mrs. Ames,"** with Carole Lombard • • • **"You Belong to Me,"** with Helen Mack and Lynne Overman • • • **"Lemon Drop Kid,"** a Damon Runyon story
CHARLIE RUGGLES & MARY BOLAND	3	pictures including **"The Pursuit of Happiness"** • • • **"People Will Talk,"** with Ida Lupino & Kent Taylor • • • **"Love Thy Neighbor"** with George Burns, Gracie Allen, W. C. Fields & Alison Skipworth
BETTY BOOP	12	box office cartoons from the Little Sweetheart of the Screen
POPEYE	12	smash hits from the Sailor King of Short Subjects

t's the best show in town!

PARAMOUNT H
. . . and the people

MRS. WIGGS OF THE CABBAGE PATCH
THE LIVES OF A BENGAL LANCER BY F. YEATS-BROWN
RUGGLES OF RED GAP
The Case against Mrs. Ames
Liberty
TWENTY HOURS BY AIR
By Bogart Rogers and Frank M. Dazey
Collier's
The Lemon Drop Kid
a short story by Damon Runyon
SHOE THE WILD MARE
TARGET

Novels and Stories

"MRS. WIGGS of the CABBAGE PATCH"

Alice Hegan Rice's famous story and play. One of the world's most popular and best-loved books. With **Pauline Lord, W. C. Fields, ZaSu Pitts, Evelyn Venable and Kent Taylor.** Directed by Norman Taurog.

"LIVES OF A BENGAL LANCER"

Francis Yeats-Brown's best-selling book. Filmed as a gigantic panorama of life, love and thrilling adventure in mysterious India. With **Gary Cooper, Cary Grant, Richard Arlen, Frances Drake and Sir Guy Standing.** Directed by Henry Hathaway.

"RUGGLES OF RED GAP"

Harry Leon Wilson's hilarious classic, read by millions of Saturday Evening Post readers and favorite novel of thousands. With a cast headed by **Charles Laughton, Charlie Ruggles, Mary Boland and Sir Guy Standing.** Directed by Leo McCarey.

"The CASE AGAINST MRS. AMES"

Arthur Somers Roche's famous story that 5,000,000 people avidly read in the recent issues of Collier's. With **Lee Tracy and Carole Lombard.** Director to be selected.

"20 HOURS BY AIR"

By Frank Dazey and Bogart Rogers, famous war ace and flyer. This story will soon be read by millions of people as a sensational serial in Liberty Magazine. **Gary Cooper and Carole Lombard** will co-star in this picture.

"LEMON DROP KID"

By Damon Runyon, the most popular writer in motion pictures today. With **Lee Tracy and Helen Mack.**

"SHOE THE WILD MARE"

Gene Fowler's best-selling novel. With **Henry Wilcoxon, Roscoe Karns** and a cast of skilled players to be selected.

"TARGET"

The exciting McCall's Magazine story by Stephen Morehouse Avery. The interest of thousands of enthusiastic readers caused us to purchase this story and put it on the screen. A large cast of stellar players will be headed by **Sir Guy Standing.**

A love affair that shook the world, set in a spectacle of thrilling magnificence!
CECIL B. De MILLE'S
"CLEOPATRA"

AS *great* STORIES to put in them!

Broadway's Biggest Plays

"SHE LOVES ME NOT"

Unanimously chosen as the year's most hilarious comedy. 300 performances to date, and all of them S. R. O.! As a picture it will star **Bing Crosby and Miriam Hopkins, with Kitty Carlisle, Lynne Overman, George Barbier Warren Hymer.** Directed by Elliott Nugent.

"THE PURSUIT OF HAPPINESS"

Another big Broadway hit. 28 weeks, 250 performances — all of them capacity. With **Francis Lederer, Joan Bennett, Charlie Ruggles, Mary Boland, Walter Kingsford, Grace Bradley, Miner Watson.** Directed by Ralph Murphy.

"SAILOR BEWARE"

30 weeks, 290 performances. One of the most uproarious comedies of all times. This will be seen on the screen as a comedy with music, starring **Bing Crosby.**

"ALL THE KING'S HORSES"

One of the most successful musical comedies of the year. Enjoyed long runs both in New York and Chicago. Recently bought for **Jack Oakie, Carl Brisson, and Kitty Carlisle,** the combination that scored such a big success in Earl Carroll's "Murder at the Vanities".

"THE MILKY WAY"

Broadway's Spring sensation — the play that made an overnight success in New York. Just purchased as a special vehicle for **Jack Oakie** who will be supported by **Helen Mack, Grace Bradley, Fred MacMurray.**

"R. U. R."

Karel Capek's brilliant play which scored such a hit in New York when produced by the Theatre Guild several years ago. Made into an amazing spectacular production. With an all-star cast. Directed by Mitchell Leisen.

"HER MASTER'S VOICE"

'There's a laugh in practically every line', says Robert Benchley in the New Yorker. Played 220 performances to packed houses this year. Cast to be selected.

CLAUDETTE COLBERT, WARREN WILLIAM
HENRY WILCOXON
Ian Keith, Joseph Schildkraut, C. Aubrey Smith,
Gertrude Michael and 8000 supporting players

"SHE LOVES ME NOT"

The Pursuit of Happines

SAILOR BEWARE

"ALL THE KING'S HORSES"

"THE MILKY WAY"

"R.U.R."

"HER MASTER'S VOICE"

Warner Reiterates Stand on Boycott

(Continued from page 1)

iterated here today following his arrival from the coast with Jacob Wilk, head of the Warner story department. They arrived on the same train with Adolph Zukor, although Warner said this "just happened" and had no significance. Warner and Wilk remained here today and will continue on to New York tomorrow, arriving on Wednesday.

Farley's remarks about pictures conforming to public sentiment were made last week at the studio luncheon where Warner gave vent to his opinion of the unfairness of Cardinal Dougherty's theatre boycott in Philadelphia.

Warner said again here that he had no objection to the listing of pictures unacceptable to groups, but considered demanding and commanding flocks to remain away from theatres as un-American.

Wilk expressed the opinion that the industry is through with trends and cycles.

"Backgrounds," Wilk said, "may indicate the news mood of the moment, but the story in any locale must be simple and reach the heart."

Para. Goes Sound; Capitol Pool Off

(Continued from page 1)

switch in policy, the step is significant in that drives home the final rivet sealing the fate of any pool with the Capitol.

The policy starts with "Cleopatra." Already lined up are: "The Scarlet Empress," "She Loves Me Not," the Mae West film, "Now and Forever," "Mrs. Wiggs of the Cabbage Patch," "College Rhythm" and "The Pursuit of Happiness." Each picture will run as long as it draws, Paramount figuring that with this lineup the theatre is set until December.

Louis K. Sidney, speaking for Loew's, yesterday declared the Capitol will continue as heretofore with pictures and stage shows.

Max Ascher Buried

Chicago, July 23.—Funeral services were held today for Max Ascher, 47, one of the founders of the Ascher circuit which was taken over by Balaban & Katz. Ascher died at the Michael Reese Hospital.

Lunch for Schosberg

Members of the Paramount foreign department will tender a luncheon to Eugene Schosberg at the M. P. Club on Thursday. Schosberg, who has been stationed in the home office, will leave that day on the *Pennsylvania* for Cristobal on a special assignment.

Carr Out of Hospital

Hollywood, July 23.—After a six weeks' stay in the Cedars of Lebanon Hospital following a major operation, Trem Carr has returned home where he will be confined for another two weeks under care of a nurse.

Shellman Resigns Post

Baltimore, July 23.—Jacques Shellman has resigned as publicity and advertising representative for the New Theatre, of which Morris A. Mechanic is president.

Some Statistical Highlights of Salary Report

Washington, July 23.—*Highlights of the Rosenblatt salary report include gross receipts, investment, surplus, assets, profit and loss, from* 1931 *to* 1933, *inclusively, of companies engaged in various branches of the industry. Some of the detail:*

Producing-Distributing Companies

	1931		1932		1933	
Classification	Amount	Percent of gross receipts	Amount	Percent of gross receipts	Amount	Percent of gross receipts
Gross receipts	$258,815,862.27	100.00	$209,022,769.34	100.00	$197,418,377.40	100.00
Capital investment	189,886,810.61	73.37	94,672,768.65	45.29	97,322,632.04	49.30
Surplus and surplus reserves	19,510,850.95	7.54	30,328,360.52	14.51	22,086,376.24	11.19
Total assets	313,141,517.45	120.99	217,094,840.16	103.86	180,327,079.75	91.34
Net profit or loss	15,154,241.75	5.86	—26,022,328.23	—12.45	—9,481,361.25	—4.80

Producing Companies

	1931		1932		1933	
Classification	Amount	Percent of gross receipts	Amount	Percent of gross receipts	Amount	Percent of gross receipts
Gross receipts	$15,913,545.52	100.00	$13,542,747.44	100.00	$15,343,757.60	100.00
Capital investment	10,411,471.59	65.42	9,757,491.59	72.05	9,170,194.17	59.76
Surplus and surplus reserves	6,184,729.87	38.86	4,976,439.58	36.75	4,238,276.85	27.62
Total assets	19,966,486.26	125.47	19,593,992.25	144.68	21,349,484.43	139.14
Net profit or loss	407,970.68	2.56	—1,069,069.57	—7.89	53,181.64	.34

Distributing Companies

	1931		1932		1933	
Classification	Amount	Percent of gross receipts	Amount	Percent of gross receipts	Amount	Percent of gross receipts
Gross receipts	$8,050,304.34	100.00	$5,188,798.87	100.00	$6,335,741.62	100.00
Capital investment	263,800.00	3.28	286,300.00	5.52	382,590.00	6.04
Surplus and surplus reserves	2,586,511.57	32.13	2,050,231.13	39.51	1,929,572.41	30.45
Total assets	5,393,837.19	66.98	4,114,481.57	79.29	5,210,547.59	82.24
Net profit or loss	842,234.28	10.46	—293,541.69	—5.66	107,678.22	1.70

Exhibiting Companies

	1931		1932		1933	
Classification	Amount	Percent of gross receipts	Amount	Percent of gross receipts	Amount	Percent of gross receipts
Gross receipts	$260,410,597.39	100.00	$216,892,126.67	100.00	$171,869,680.00	100.00
Capital investment	297,516,406.42	114.25	255,886,015.10	117.98	238,313,838.69	138.70
Surplus and surplus reserves	64,741,732.83	24.86	39,725,706.00	18.32	19,906,678.62	11.58
Total assets	599,656,480.74	230.27	521,312,233.70	240.36	460,988,049.58	268.22
Net profit or loss	5,054,611.75	1.94	—13,979,210.24	—6.45	—10,268,891.74	—5.97

Composite of All Production and Distribution

	1931		1932		1933	
Classification	Amount	Percent of gross receipts	Amount	Percent of gross receipts	Amount	Percent of gross receipts
Gross receipts	$282,779,712.12	100.00	$227,754,315.65	100.00	$219,097,876.62	100.00
Capital investment	200,562,082.20	70.93	104,716,560.24	45.98	106,875,416.21	48.78
Surplus and surplus reserves	28,282,092.39	10.00	37,355,031.23	16.40	28,254,225.50	12.90
Total assets	338,501,841.00	119.71	240,803,313.98	105.73	206,887,111.77	94.43
Net profit or loss	16,404,446.71	5.80	—27,384,939.49	—12.02	—9,320,501.39	—4.25

Composite of All Production, Distribution and Exhibition

	1931		1932		1933	
Classification	Amount	Percent of gross receipts	Amount	Percent of gross receipts	Amount	Percent of gross receipts
Gross receipts	$543,190,309.52	100.00	$444,646,442.32	100.00	$390,967,556.62	100.00
Capital investment	498,078,488.62	91.70	360,602,575.34	81.10	345,189,254.90	88.29
Surplus and surplus reserves	93,023,825.22	17.13	77,080,737.23	17.34	48,160,904.12	12.32
Total assets	938,158,321.74	172.71	762,115,547.68	171.40	667,875,161.35	170.83
Net profit or loss	21,459,058.46	3.95	—41,364,149.73	—9.30	—19,589,393.13	—5.01

Individuals, Pay Rolls and Average Compensation

(Composite, All Production, Distribution, Exhibition)

	1931				1932				1933			
Classification	Number of individuals	Total compensation	Average compensation per employment	Total compensation percent of gross receipts	Number of individuals	Total compensation	Average compensation per employment	Total compensation percent of gross receipts	Number of individuals	Total compensation	Average compensation per employment	Total compensation percent of gross receipts
Executive	278	$11,009.565.56	$39,602.75	2.03	306	$8,372,226.10	$27,360.22	1.88	289	$6,799,157.90	$23,526.50	1.74
Supervisors	1,566	14.323.270.29	9,146.41	2.64	1,653	12,634,281.25	7,643.24	2.84	1,621	11,766,380.80	7,258.72	3.01
Clerical, office and service	25,966	37,594.228.27	1,447.83	6.92	23,152	32,244,331.12	1,392.72	7.25	24,468	29,211.010.38	1,193.85	7.47
Actors and actresses	20,503	37,077,527.62	1,808.40	6.82	23,842	31,989,467.71	1,341.73	7.20	28,055	25,834,977.62	920.87	6.61
Extra players	220,945	2,437,826.48	11.03	.45	256,124	2,669,047.36	10.42	.60	287,661	2,756,643.46	9.58	.71
Motion picture directors	281	8,358,274.68	29,744.75	1.54	330	7,862,514.98	23,825.80	1.77	370	6,988,930.54	18,889.00	1.79
Musical directors and musicians	8,150	7,367,401.17	903.96	1.36	6,884	5,202,265.67	756.09	1.17	9,538	3,712,477.64	389.23	.95
Writers, authors, dramatists:												
Regularly employed	354	5,030,064.47	14,209.22	.93	340	4,867,093.04	14,314.97	1.10	356	4,501,072.88	12,643.46	1.15
Not regularly employed	435	1,760,186.57	4,046.41	.32	609	2,050,997.64	3,367.81	.46	802	2,207,129.07	2,752.03	.56
Composers, arrangers	100	858,767.30	8,587.67	.16	94	766,986.94	8,159.44	.17	197	850,340.70	4,316.45	.22
Artists and sculptors	314	902,939.51	2,875.60	.16	326	921,342.92	2,826.21	.21	426	930,547.05	2,184.38	.24
Scenic artists and designers	238	590,106,17	2,479.44	.11	207	446,903.76	2,158.96	.10	328	448,054.84	1,366.02	.11
Costume designers	18	123,219.36	6,845.52	.02	18	106,655.21	5,925.29	.02	18	95,176.25	5.287.57	.02
Sound engineers	171	867,722.55	5,074.40	.16	164	717,822.50	4,376.97	.16	170	626,523.65	3,685.43	.16
Sound technicians	595	1,307,081.59	2.196.78	.24	535	1,032,020.87	1,929.01	.23	729	1,018,132.83	1,396.62	.26
Cameramen	933	2,658,320.59	2,849.22	.49	897	2,262,514.53	2,522.31	.51	1,115	2,406,928.26	2.158.68	.62
Studio mechanics	12,196	9,113,406.62	747.25	1.68	12,808	8,789,994.85	686.29	1.98	19,363	9,747,113.48	503.39	2.49
Laboratory workers	1,685	2,459,975.16	1,459.93	.45	1,340	2,055,512.14	1,533.96	.46	1,537	1,931,240.30	1,256.50	.49
All other employees	21,448	31,462,221.21	1,466.90	5.79	20,497	28,101,502.95	1,371.01	6.32	22,172	23,281,298.19	1,050.03	5.95
Total individuals	316,176	$175,302,105.17	$554.45	32.27	350,126	$153,093,481.54	$437.25	34.43	399,215	$135,113,135.84	$338.45	34.55
Regular pay roll	48,275	$133,240,587.25	$2,760.03	24.53	45,380	$119,184,022.53	$2.626.36	26.95	47,422	$109,616,000.91	$2,311.50	28.04

NRA Denies Appeal; Backs Self-Control

(*Continued from page 1*)

Gordon, chairman of the board of Jefferson, on the ground that the President's executive order accompanying the code provides for a review, and, if necessary, disapproval of any action taken by Code Authority or committees appointed by it on the part of the National Recovery Administrator. Rosenblatt, in refusing the petition for review, cites the interpretation of the executive order by General Johnson, Dec. 9, "construing the provisions of the order as not containing any right of appeal in individual cases."

This interpretation was given by General Johnson after industry leaders had conferred with him in Washington for several days. Prior to its having been made by the administrator, member companies of the M. P. P. D. A. had threatened to withhold their signatures to the code on the grounds that the executive order, as it stood, deprived the industry of self-regulation.

Jefferson Amusement Co. is now seeking a rehearing of its case by Campi. Its petition for a rehearing, which will be heard by Campi at its Thursday meeting, declares that the company was unaware of the administrator's interpretation of the executive order refusing appeals to him in individual cases. It charges in its petition, however, that the interpretation is invalid because "no one has any right or power to change, alter or modify the provision of said executive order, except the President, himself."

Holds Right to Buy Recognized

The Jefferson petition also contends that the Campi findings and the method of relief granted the complainant in the overbuying case constitute a recognition by Campi of "the right to buy" and, in effect, result in incorporating the "right to buy" in the code, although that principle was rejected after lengthy discussions when the code was being drawn.

The overbuying complaint against Jefferson was brought to the Dallas grievance board by Rubin Frels of Victoria, Tex. The local board found Jefferson had overbought and ordered the company to prepare two lists of 39 "representative" pictures which it had under contract and to permit Frels to make a choice of one of the two lists. The local board's ruling also assured Frels a similar number of pictures, as this would then provide him for as long as he should remain in business.

Jefferson appealed the ruling to Campi, which upheld the local board's findings and its method of providing relief, with the exception that it restricted the findings to apply to one year's product, only. Another year is another story, Campi held.

Gordon, Jefferson Amusement Co. head, then sought the review of Campi's findings by Rosenblatt. In his refusal to review the case, Rosenblatt points out, in addition to Gen. Johnson's interpretation of the executive order, that the Administration was represented at both the local grievance board and the Campi hearings of the case and that all the facts were fully disclosed at those times. Rosenblatt also notes that the decisions of both the local board and of Campi were unanimous and that Campi is not shown to have exceeded the authority vested in it by the code.

In its petition for a rehearing of the case by Campi, Jefferson asks leave in the event the rehearing is denied, to make two lists of 39 pictures each, as directed in the findings, and submit them to Campi for a selection, rather than to Frels. The petition contends that this procedure would remedy what is now an application of the "right to buy" rather than of the overbuying provisions of the code.

"If this is not done," Gordon said yesterday, "the ruling will eliminate competition in exhibition. If exhibitors know beforehand that they will have to split their product with their competitor, what is to prevent them from getting together in advance of the selling season and determining just what they will buy and how much they will pay for it?"

All Back Together

E. B. Hatrick, in charge of W. R. Hearst's film interests, went to Europe some weeks ago to line up a new newsreel organization in view of the split in September between Hearst Metrotone and Fox Movietone.

Truman H. Talley, general manager of Fox Movietone, and Laurence Stallings, editor, followed shortly afterwards to take care of the new Fox buildup.

All three return today on the *Ile de France*.

Canadian Deal Set

James R. Grainger leaves for Toronto today to sign Universal product with N. L. Nathanson for Famous Players Canadian.

K. C. Board Decides Bank Nights Lottery

Kansas City, July 23.—Bank nights have been ruled a lottery by the grievance board and a code violation in that they lower, or tend to lower, admissions and hence are unfair competition.

E. S. Young, respondent exhibitor, was ordered to stop the plan immediately.

Lester F. Martin, representing Affiliated Enterprises, announced that an appeal would be taken to Campi.

Mrs. A. Baier, complainant in the first instance, is preparing similar complaints against several other independents using the plan in this city.

Rome Acquires Two More in Baltimore

Baltimore, July 23.—Negotiations between J. Louis Rome, managing director of Associated Theatres, with Hornstein Brothers have resulted in the Regent and Diane becoming part of the Associated circuit.

This gives Rome the Regent and Harlem, first run colored houses, and the newly built colored Diane. He now has booking power for nine houses.

Set for "Music Hall"

The Music Hall has spotted in these attractions:

"Hat, Coat and Glove," week of July 26.

"The World Moves On," week of Aug. 2.

"The Cat's Paw," week of Aug. 16.

No decision has been reached on the week beginning Aug. 9.

Flash Review

Shock—A pleasing and entertaining film that should do well in neighborhoods and small towns. . . .

This film will be reviewed in full in a later issue of Motion Picture Daily

MOTION PICTURE DAILY'S HOLLYWOOD PREVIEW

"Cleopatra"

(*Paramount*)

Hollywood, July 23.—"Cleopatra," one of Paramount's big noises for the new season, is a typical DeMille production, lavishly gorgeous in every respect and with everyone connected deserving high honors for his or her particular job.

The story, based on history and dealing with the murder of Julius Caesar, the subsequent rise to power of Marc Antony and Octavian, and Cleopatra's spell over Rome's heroes, was milked dry of entertainment value by the producer.

Claudette Colbert is beautiful as Egypt's queen; Henry Wilcoxon, Warren William and Ian Keith as Antony, Caesar and Octavian, respectively, contribute excellent performances. Outstanding smaller roles lend adequate support, including Gertrude Michael, Joseph Schildkraut, C. Aubrey Smith, Irving Pichel and Claudia Dell.

The screen play, by Waldemar Young and Vincent Lawrence, with adaptation by Barlett Comrack, furnishes an authentic historical structure for all connected to turn into outstanding entertainment. Hans Dreier and Roland Anderson, art directors, have turned out some of the most artistic and most impressive sets seen in some time. Costumes by Travis Banton are catching and the musical score by Rudolph Kopp, excellent. Victor Milner's enchanting photography is breath-taking.

"Cleopatra" looks as if it possesses sure-fire appeal for all classes. Running time, 90 minutes.

Fox Met Move Aimed at Full Bond Payment

(*Continued from page 1*)

that no effort had been made to line up other bondholders, pointing out that the new bankruptcy laws provide that a petition for reorganization may be brought by at least three bondholders representing $1,000 in amount. Anything additional, he said, would be so much "superfluity."

Palmer denied that either Skouras or Randforce interests were represented in the action.

Fox Met is required to file an answer to the petition before July 30, following which a hearing will be set.

"My clients believe that they stand an excellent chance of realizing 100 cents on the dollar from Fox Met within the next 10 years," Palmer said. "All the losers have been eliminated from the circuit now and only the paying ones are left. These bondholders also believe that the circuit should not be split up with large amounts paid to two operators. They believe that Fox Met can be better and more economically operated as a unit."

Control Passes on Three in St. Louis

(*Continued from page 1*)

not definitely set. Harry Arthur is here to complete the management contract for F. & M. with Snyder.

The three houses will be managed by Koplar in association with Harry Greenman, manager of the Fox, an F. & M. house. Negotiations are under way with Paramount, Universal, Radio and Columbia for product for five F. & M. houses, the others being the Fox and St. Louis. They control all but Loew's among the first runs now in operation.

Snyder says he plans to spend about $7,000 for improvements at the Ambassador and $3,500 at the Missouri while they are closed.

Rent on the houses began today. It is $2,000 a week for the Ambassador, $1,000 for the Missouri and $350 for the Grand Central, plus 15 per cent of the gross above those figures.

Re-Sign John Stone

Hollywood, July 23.—John Stone, production associate of Sol Wurtzel, in charge of Fox's Spanish productions, has been given a new long-term contract. The deal is for two years without options.

Rhoden on Way East

Kansas City, July 23.—Elmer C. Rhoden, division manager for Fox Midwest, is on his way to New York for conferences in advance of the buying season.

Sheehan Coming Here

Hollywood, July 23.—Winfield Sheehan, production head of Fox, left for New York last night en route to Europe for a vacation. He is due in New York Wednesday.

s Here To Film Drive

(*Continued from page* 1)

the surrounding territory will be invited. Sub-committees will be chosen from those who attend.

These sub-committees will be composed of one Catholic priest, one rabbi and one Protestant minister.

Rev. Joseph A. McCaffrey, pastor of Holy Cross Church, presided at yesterday's meeting, which was attended by the following members of the inter-faith committee: Rabbi Sidney E. Goldstein, of the Free Synagogue; Rabbi William F. Rosenblum, of Temple Israel; Rev. J. Henry Carpenter, secretary of the Brooklyn Federation of Churches and Missions and Rev. Walter M. Howlett, of the Greater New York Federation of Churches.

Father McCaffrey, acting as spokesman for the group, said that the committee would concern itself only with the distribution of the pledges in Greater New York, and would leave the supervision of films to the various national organizations, which are planning to meet in the near future to draw up a national "black list" of films, to do away with the present confusion brought about by conflicting lists.

When asked to comment on the recently published list of actors and actresses who had been placed on the "black list" by a Boston priest, Father McCaffrey said: "They are all good artists, but have been polluted following the commands of their directors."

Holds Producers to Blame

Father McCaffrey also remarked that if the producers had obeyed the production codes drawn up by the Hays office in 1922 and in 1930 the present condition of pictures would not exist.

"Will H. Hays has failed lamentably in his job," he continued, "and should be removed in favor of a body that could make the producers adhere to the production code to the letter."

Many organizations have communicated with the committee, lending their support to the present campaign and asking for pledges, Father McCaffrey said. Among those who have written to the committee are: Emergency Council of the Fraternal Organizations of the U. S.; Williamsburg LaGuardia Ass'n. and Intercollegiate Democratic League of N. Y.

It is also reported that the Intercollegiate Democratic League of N. Y. has pledged its support to the Ass'n. for the Preservation of the Freedom of Stage and Screen, which is in direct opposition in most ways to the inter-faith committee.

The Ass'n. for the Preservation of the Freedom of Stage and Screen held its first meeting last night at the Hotel New Yorker for discussion of the film situation and means of combatting the church campaign. I. Robert Broder, founder and president of the association, presided. Other speakers were Dr. Charles Francis Potter of the First Humanist Society and Rabbi Harry G. Borwick of Williamsburg, Pa.

Dr. Potter said in part: "When the representative of the church calls on you as a non-churchgoer in the proposed house-to-house canvass, I suggest that you say to these canvassers, 'I am perfectly capable of choosing the motion pictures which I wish to attend. I will match my morality with yours or your minister's at any time, and I resent your visit to my home in an attempt to supervise my morals.' Then politely show him to the door."

Rabbi Borwick charged that the attitude of the clergy was now "colored by a newly acquired liberalism," and Broder spoke on the economic evil of censorship.

After the speeches, Dr. Potter conducted an open forum. About 300 persons attended the meeting.

Hays a General

Louisville, July 23.—Will H. Hays has been made a General on the staff of Governor Laffoon.

Consolidated's Net In 3 Mos. $320,782

Consolidated Film Industries, Inc. and subsidiaries yesterday reported for the quarter ending June 30 a net profit of $320,782 after all charges.

This was equal, after dividend requirements on $2 preferred stock, to 23 cents a share on 524,973 shares of common and compared with a net profit of $317,781, or 22 cents a share, on common in the preceding quarter and with $197,177, or 49 cents a share, on 400,000 shares of $2 preferred stock in the June quarter of 1933.

For the six months ending June 30 a net profit of $638,563, equal to 45 cents a share on common, against $462,577, or 12 cents a share on common in the first half of 1933, was shown.

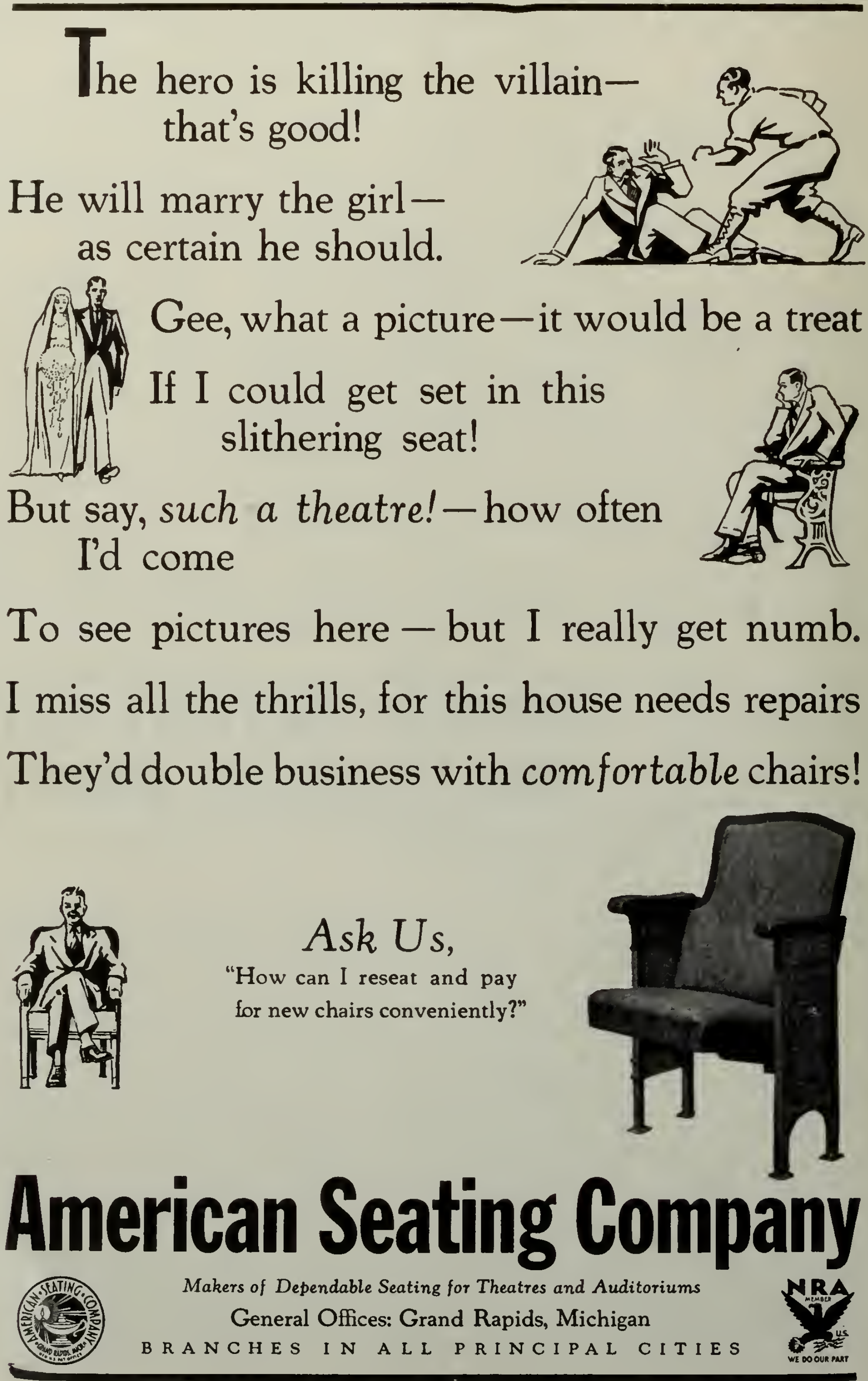
Says Local Aid Is Cancellation Aim

(*Continued from page* 1)

patrons wholesome, clean entertainment." The text of the letter was made public by Pettijohn yesterday.

Pettijohn made it emphatic that an exhibitor's request to have a picture cancelled must be based on objections expressed in his own community.

"This offer," the letter added, "should not be abused by chronic contract breakers who seek to chisel down their film rentals by repudiating their contracts. It was intended to help the sincere exhibitor who might be faced with an actual protest on moral grounds actually existing in his community."



The hero is killing the villain—
that's good!
He will marry the girl—
as certain he should.
Gee, what a picture—it would be a treat
If I could get set in this
slithering seat!
But say, *such a theatre!*—how often
I'd come
To see pictures here — but I really get numb.
I miss all the thrills, for this house needs repairs
They'd double business with *comfortable* chairs!

Ask Us,
"How can I reseat and pay
for new chairs conveniently?"

American Seating Company

Makers of Dependable Seating for Theatres and Auditoriums
General Offices: Grand Rapids, Michigan
BRANCHES IN ALL PRINCIPAL CITIES

The Leading Daily Newspaper of the Motion Picture Industry

MOTION PICTURE DAILY

Alert, Intelligent and Faithful Service to the Industry in All Branches

VOL. 36. NO. 20 NEW YORK, WEDNESDAY, JULY 25, 1934 TEN CENTS

Moscow for Give and Take Film Policy

Will Expand Imports as Exports Increase

By BELLA KASHIN

Moscow. July 24.—Development of a give and take policy which will increase Soviet exports of films and at the same time increase imports of American product is the aim of S. J. Usievitch, director of the Sovkino Export Department, he said upon his return here from a business trip to New York.

Confirming the fact that negotiations with several American film companies are under way aiming at national distribution of Soviet films

(*Continued on page 6*)

London Films Sets Stage Play Plans

By BRUCE ALLAN

London, July 24.—London Films has formed a subsidiary of the Epidurus Trust to produce stage plays in the West End. The idea is to develop film material.

First on the list, scheduled for October, will be a romance, "The Private Lives of Napoleon and Josephine," played by Frank Vosper and Mary Ellis. This will be produced by Prof. Robert, continental specialist on Shakespeare and Shaw.

It is probable that Oberon and other London stage stars will be given parts.

Production Gains Slightly on Coast

Hollywood, July 24.—Production increases last week over the preceding week with a total of 33 features and eight shorts in work compared to 32 and seven for the preceding week.

This indicates that the producers are becoming more sure of themselves

(*Continued on page 2*)

ITOA Fails to Make Decision on MPTOA

Los Angeles, July 24.—Whether or not the I. T. O. A. will affiliate with the M. P. T. O. A. is still undecided. With less than 50 per cent of the membership present last night those present voted against affiliation by a two-thirds vote, according to Ben Berinstein.

The issue is to come up again tomorrow at a general meeting called to discuss the clearance schedule.

Campi Places 3 Rehearings On Calendar

Action Follows Ruling In Jefferson Case

Following the precedent established by Division Administrator Sol A. Rosenblatt in refusing to review a final determination of Code Authority in the Jefferson Amusement Co. overbuying case, three petitions for rehearings by Campi of cases previously passed upon by it have been filed and will be heard at tomorrow's regular meeting of Code Authority.

Jefferson Amusement Co. was the first to ask a rehearing of the overbuying complaint brought against it by Rubin Frels of Victoria, Tex. Jefferson's petition for a rehearing by

(*Continued on page 6*)

Rosenblatt to Find Film Leaders Gone

Hollywood, July 24.—Division Administrator Sol A. Rosenblatt will find a number of important executives out of town when he arrives here in a few days. Discussion of his percentage plan for talent may not be held as a result.

Winfield Sheehan, Louis B. Mayer, H. M. Warner and Adolph Zukor are absent.

Appeals Committee Has Four Cases Up

A Campi appeal committee yesterday heard four cases appealed from Albany, Los Angeles and New York boards and is scheduled to forward its report on the cases to Campi in the next few days.

Cases heard were: an unfair advertising complaint against the Hen-Wil-Hen Corp., Hudson, N. Y., by

(*Continued on page 6*)

On the Coast

How is Hollywood reacting to the church campaign?

What does it think and what is it doing about strengthened Production Code Administration?

These and other questions are answered by Victor M. Shapiro, Hollywood manager of *Quigley Publications*, who arrived in New York yesterday.

Assessment Schedule Made Public by NRA

Washington, July 24.—Members of the industry are to be assessed from $6 per month to $20,000 per year for support of the Code Authority, it was disclosed today by the National Recovery Administration.

Warners, Paramount, M-G-M, Fox, United Artists and RKO are scheduled for contributions of $20,000 each. Universal and Columbia are slated to pay $15,000 each.

Producers in group one, the Administration revealed in making pub-

(*Continued on page 6*)

Bernerd Sailing on G. B. Own 'Changes

London, July 24.—Jeffrey Bernerd. general manager of Gaumont British Distributing, sails for New York July 28 aboard the *Aquitania*, reputedly to make preliminary arrangements for the company's own distributing organization in the States. It is highly probable he will be followed by C. M. Woolf, managing director of G. B., and Mark Ostrer,

(*Continued on page 2*)

Says Legion Aim Is Clean Films and Not Destruction

Catholics are being admonished to remain away from objectionable pictures not because the church has any desire to destroy the industry, but because of its conviction of "the urgent necessity of a clean and wholesome screen," Archbishop John T. McNicholas of Cincinnati, chairman of the Episcopal Committee on Motion Pictures, will state in the August issue of *The Ecclesiastical Review*. The magazine serves bishops and priests and is published in Philadelphia. The archbishop's article will prove important in church circles since it is his first written expression in several months.

"The sole purpose of the Legion," the church dignitary will say, "is to

(*Continued on page 8*)

Hollywood On Mend as Film Cleanup Gains

Nerves Calming, Work Is Being Resumed

By VICTOR M. SHAPIRO

According to well-informed spokesmen, the Hollywood crisis is over and studios buckling down to work under their New Deal.

Temperatures have receded, respiration is normal and it looks as if the patient will recover.

Last week, the colony was frozen with fear, dumb with fright. Now calmness pervades and information is at least available from semi-official sources, where before, the only facts to be gleaned about the patient's condition were from those laboring in the vineyards.

Responsible for the restoration of confidence and the consolidation of strength are the acceptable tenets of

(*Continued on page 8*)

Follow the Rules, Milwaukee Dictum

Milwaukee, July 24.—Reply of Milwaukee exchanges to the publicity campaign being conducted by the A. I. T. O. on what it claims is its inability to obtain cancellations of objectionable pictures is that the cancellations can be had in accordance with the Hays organization rules.

The Allied campaign is aimed at Parent-Teacher Ass'ns., the Legion of

(*Continued on page 8*)

Hays Is Defended by Michael in Buffalo

Buffalo, July 24.—Jules H. Michael, chairman of the western New York zone of the M. P. T. O., came to the defense of Will H. Hays at a meeting of the Better Films Council.

"We feel," he said, "that if producers had cooperated with suggestions made four years ago by Hays the industry would not find itself in

(*Continued on page 8*)

Sees Tax Danger in Missouri and Kansas

Kansas City, July 24.—The danger of additional taxation on theatres in Kansas and Missouri is real, declares John C. Stapel, newly-elected president of the K. M. T. A. He calls on exhibitors in the territory to cooperate with the organization, which

(*Continued on page 2*)

MOTION PICTURE
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Frank R. Tate Buried

ST. LOUIS, July 24.—The funeral of Frank R. Tate was held here this afternoon at his home. He was a pioneer theatre owner and was 74 years old. Death took place Sunday. Burial was in the Bellefontaine Cemetery.

His first theatre was the Columbia, opened in 1898. In 1912 he owned a string of houses.

L. J. Murdock Dies

TERRE HAUTE, Ind., July 24.—Luther James Murdock, 59, proprietor of the Lyceum here for more than 15 years, is dead. He was one of the leading business men of Terre Haute's east side. The widow, a son and one daughter survive. Burial was in Newman, Ill.

Mrs. Dent Passes

LONDON, July 24.—The wife of Arthur Dent, sales manager for British International Pictures, died suddenly yesterday following an operation.

Zukor, Balaban Here

Adolph Zukor arrived in New York from the coast yesterday and was met at the station by his son, Eugene, and Sam Dembow, Jr. Barney Balaban of B. & K. journeyed in with Zukor from Chicago.

Giannini Coming East

HOLLYWOOD, July 24.—Dr. A. H. Giannini, chairman of the executive committee of the Bank of America, N. A., leaves for New York Wednesday.

Vidor Says Future Depends on "Bread"

His future as an independent producer depends solely upon the financial success of his latest picture, "Our Daily Bread," said King Vidor yesterday. United Artists is handling the distribution of the film, the release date of which is Aug. 10.

Vidor plans to sail for London in about two weeks to confer with Alexander Korda of London Films on a proposed series of pictures to be made by London Films next year with Charles Laughton as star. The deal has not been definitely set, however, and Vidor may go to Moscow, instead, to film atmosphere shots for a proposed Samuel Goldwyn film with a Russian background.

In commenting on the censorship wave that is sweeping the country, Vidor said that the producers are only getting what they have been asking for by the type of pictures they have been turning out for the past year and a half.

CHICAGO, July 24.—"Our Daily Bread" will be previewed at the Lagoon Theatre at the World's Fair on July 30. It will be the first feature to be screened at the exhibition. Ten representatives from each state and foreign consuls and dignitaries have been invited.

George Landy, who arranged for the preview, arrives here by plane tomorrow from New York with a print.

Bernerd Sailing on G.B. Own 'Changes

(*Continued from page* 1)

member of the private banking firm which sponsors the company.

MOTION PICTURE DAILY has reported on at least two separate occasions that Gaumont British fully intended to organize its own distributing machine in this country. The reports, in both instances, were officially denied by the Ostrers in London and by Arthur Lee, American representative of G. B.

Meyer Returning Home

HOLLYWOOD, July 24.—Fred S. Meyer, president of the M.P.T.O. of Milwaukee, leaves for home shortly, traveling by easy stages. Ill for several months, Meyer is now recuperating and gaining slowly but steadily.

Production Gains Slightly on Coast

(*Continued from page* 1)

in meeting the present demands for a new deal in screen entertainment, and everything points to continued activity in the near future with a total of 20 features and 17 shorts in the final stages of preparation tentatively slated to start production within the next two weeks.

Pictures in the cutting room also show a tendency and need for new pictures to get under way with a low total of 42 features and 18 shorts in the final editing stages.

Warners led the field with seven features before the cameras, one in final stages of preparation and eight editing: M-G-M reported four, zero and nine: Universal, four, one and three; Fox, three, two and four; Radio, three, two and three; Paramount, two, six and four; Goldwyn, two, zero and zero; Columbia, two, three and four, while the independents had a total of six, five and seven.

In the short subject division, M-G-M reported a total of two working, four preparing and four editing. Roach had one, two and three; Universal, zero, zero and three, while the independents had a total of five, seven and eight.

Sees Tax Danger in Missouri and Kansas

(*Continued from page* 1)

will seek to protect their interests when the legislatures convene next winter.

Faced with depleted treasuries, state officials are casting about for new sources of revenue. In Missouri, the sales tax has proved inadequate and real estate interests are reported advocating an amusement tax. In Kansas, teachers' organizations are supported by veterans' groups in their lobby for a sales tax to replenish the school funds. A tax on admissions is something to guard against in both states, says Stapel.

C. J. Latta to Coast

PITTSBURGH, July 24.—C. J. Latta, district manager for Warners here, has gone to the coast by plane on his annual summer vacation. He will join his family, who have been spending the warm months in Hollywood. He will motor back with his wife and children.

Pathe "A" Off 1¼ on Big Board

	High	Low	Close	Net Change	Sales
Columbia Pictures, vtc	25⅜	24¼	24¼	— ⅞	300
Consolidated Film Industries	3⅛	2¾	2¾	— ¼	300
Consolidated Film Industries, pfd	12⅞	12½	12½	+ ¼	600
Eastman Kodak	97¾	97	97½	.....	600
Fox Film "A"	9⅝	9⅛	9⅛	+ ⅛	1,400
Loew's, Inc.	24½	23	23¼	— ¼	6,400
Paramount Publix, cts	3	2¾	2¾	.....	4,900
Pathe Exchange	1⅝	1½	1⅝	+ ⅛	2,100
Pathe Exchange "A"	16	14½	14½	—1¼	2,000
RKO	1⅞	1½	1¾	+ ¼	2,600
Warner Bros.	3⅝	3¼	3⅜	— ¼	14,100

Technicolor Drops One on Curb

	High	Low	Close	Net Change	Sales
Technicolor	12⅝	12	12	—1	1,100
Trans Lux	1⅜	1⅛	1⅛	— ¼	400

Most Bond Issues Take a Beating

	High	Low	Close	Net Change	Sales
General Theatre Equipment 6s '40	6¼	6⅛	6⅛	+ ⅛	1,600
Keith B. F. 6s '46	64¾	64	64	—1½	8
Loew's 6s, ww deb rights	98	98	98	—2	1
Paramount Broadway 5½s '51	38	38	38	.....	1
Paramount Publix 5½s '50	42½	42¼	42¼	— ½	7
Pathe 7s '37, ww	98	98	98	—1½	1
Warner Bros. 6s '39, wd	51½	51	51¼	— ¼	50

◂ Purely Personal ▸

ABE SCHNEIDER, HARRY BRANDT, DAVID LOEW, MORT SPRING, TOM GERETY, LOUIS PHILIPS, LEE A. OCHS, HARRY SHIFFMAN, DAVE BLUM, LOUIS NIZER, ARTHUR FISHER, JAMES O'BYRNE DEWITT, HARRY M. KEILEY, BOB WOLF, LOUIS BLUMENTHAL and ARTHUR LOPEZ were among the crowd lunching yesterday at the M. P. Club.

E. B. HATRICK, TRUMAN H. TALLEY and LAURENCE STALLINGS—newsreel men all—failed to appear at their respective offices yesterday, following their arrival on the *Ile de France*, but mark an official return to their desks this morning.

TOBIAS A. KEPPLER, attorney well known in film circles, hurt in an alleged assault by another attorney last week, was reported in "fair" condition last night at Broad Street Hospital.

JOE LAURIE, metropolitan diving champion, is still burned up. MAX BAER pulled this on him the other day: "Say, young fellow, get off the plank and let me show you how to dive."

VÉRREE TEASDALE leaves for the coast tomorrow after being in town only since Saturday. She has been summoned west by Warners to enact the leading feminine role in "Firebird."

IRVING BERLIN'S song, "A Pretty Girl Is Like a Melody," is being acquired by WILLIAM ANTHONY MCGUIRE for Universal, which will use it in "The Great Ziegfeld."

RUBY KEELER has interrupted her vacation here to play a role in First National's "Flirtation Walk." Upon the film's completion she will return to New York.

NATALIE KALMUS, color director for Technicolor Corp., is in town on a combined business and pleasure trip. She will leave the end of the week.

W. G. VAN SCHMUS, direct representative of the Rockefellers at the Music Hall, will hold that European trip of his to three weeks.

BERTRAM A. MAYERS of Fitelson & Mayers, film attorneys, sails Saturday on the *Ile de France* for a vacation.

GLENDA FARRELL was reported last night on the road to recovery following an appendicitis operation Monday at the Polyclinic Hospital.

REGINALD BERKELEY, Fox scenarist, is en route to England on a holiday.

Say Fuse Was Cause

Interrupted preview of "Cleopatra" at the Criterion yesterday morning, first suspected as having been caused by labor trouble, was declared later in the day to have been occasioned by the inexperience of a man in the booth with fuses.

The picture was about half over when the screen went blank. A spokesman for the Criterion told the audience the house had switched on Monday from Local 1 and 306 to Allied and Empire projectionists, intimating union relations were the cause without making any open charge.

The house opened on schedule with its return run on "Cavalcade."

TREASURE!

● Coast Preview of M-G-M's "Treasure Island" starring Wallace Beery, Jackie Cooper with Lionel Barrymore! Never such cheers in a theatre! It's a treasure and a pleasure. Just one of the M-G-M life-savers of the summer. ●

Here's what happened at the Preview!

(SUBJECT: Confidential Preview Report)

Twenty-three hundred people in San Diego are talking about one thing today —and that is HAROLD LLOYD'S new picture, THE CAT'S PAW, which was previewed here last night for the first time.

The story (and when I say story, I mean story) did not drag in a single spot, and **the surprise finish sent patrons away with something to talk about for weeks to come.**

The audience sat spellbound—they were seeing Lloyd in a picture entirely devoid of excess slapstick and hokum, and yet a picture beaming with clean humor and wholesome laughter. **There isn't a let-up of action from the beginning to the hilarious surprise finish.**

Furthermore, the picture will be received with open arms by those various groups which at this time are insisting on "family entertainment." **Every exhibitor who plays Fox product next year will thank you for this one.** Let me be the first to extend my congratulations.

—B. V. STURDIVANT
Fox West Coast Theatres,
San Diego Calif.

From the Saturday Evening Post story
by **CLARENCE BUDINGTON KELLAND**

●

PRODUCED BY THE
HAROLD LLOYD CORPORATION
A FOX release

HAROLD LLOYD

in

The Cat's Paw

with

UNA MERKEL **GEORGE BARBIER**
NAT PENDLETON **GRACE BRADLEY**
ALAN DINEHART **GRANT MITCHELL**

Directed by
SAM TAYLOR

Campi Places 3 Rehearings On Calendar

(Continued from page 1)

Campi was filed as soon as Rosenblatt's ruling was handed down, holding that individual cases decided by Campi were not subject to review by the Administrator. The ruling was based on General Hugh S. Johnson's interpretation of the President's executive order made last Dec. 9 and guaranteeing the industry the right of "self regulation."

Yesterday, E. J. Sparks, Paramount operating partner in southern states, filed a petition for a rehearing of the case involving clearance and zoning changes in Miami. Sparks was made a defendant in the case by various Miami exhibitors. He appealed the local board's clearance and zoning changes to Campi, which upheld the local board in all essential particulars. His petition for a rehearing of the case will be considered by Campi tomorrow.

Louis Linker, operator of the Criterion, Bridgeton, N. J., filed the third petition for a rehearing. Linker was the complainant in an overbuying case brought against Atlantic Theatres, Bridgeton. The Philadelphia grievance board granted Linker the relief sought in his action; Atlantic appealed the decision to Campi which modified some of the local board's findings. Linker now brings his petition for a rehearing of the case by Campi.

Campi's semi-annual financial report, which includes the Price, Waterhouse audit of the costs of code administration to date, described as showing a "remarkably economical operation of Campi and local boards," will be presented at tomorrow's meeting by John C. Flinn, executive secretary.

The meeting is also scheduled to act on the recent "manifesto" of Denver exhibitors which proclaimed that recognition of Campi and its local boards would be withheld by the signatories until the right of "home rule" in exhibition affairs had been granted them. It is known that Campi's attitude on the manifesto is that it constitutes a defiance of Federal law as represented by the National Industrial Recovery Act rather than of Code Authority and the code.

Clearance and zoning complaints, received in large numbers from many sections of the country, are also scheduled to receive attention at tomorrow's meeting. Charles L. O'Reilly will be chairman of the session.

If you have anything to SAY or SELL to 1500 independent exhibitors . . . .

Use the 15th Annual
CONVENTION JOURNAL
ALLIED Theatre Owners of N. J. INC.
Suite 306, Hotel Lincoln

- *The Convention will be held on August 22, 23, 24, at the Ritz Carlton Hotel in Atlantic City. The Journal will be mailed to 1500 exhibitors on August 16.*

Bank Night Appeal To Be a Test Case

Kansas City, July 24.—Appeal to Campi by Affiliated Enterprises, Inc., of Denver from the decision of the Kansas City grievance board holding bank night in violation of the code is in the nature of a test of far-reaching importance. Filing of appeals from the decisions of the Los Angeles and Denver grievance boards, which ruled similarly, is being held up to expedite hearing on the local case.

Besides the legality of bank night with respect to the code, the Kansas City case involves the question whether the plan violates the state laws. The local board found the so-called advertising plan is a lottery in Missouri, basing its decision on an opinion by the attorney general. Since the case decided originated in Missouri, the board disregarded an opinion by the Kansas attorney general that the plan is not a lottery.

The appeal will cite that the grievance board is not a court of jurisdiction and hence had no right to determine whether bank night was a lottery under the state laws, according to representatives of Affiliated Enterprises.

Using Bank Nights In St. Louis Houses

St. Louis, July 24.—Bank nights and merchandise giveaways are understood to be in progress in a number of spots in this territory as a result of the grievance board ruling that they are not code violations if it is not necessary to buy an admission ticket or be present in the theatre when prizes are awarded.

The decision followed a rehearing of Harry G. Swan's complaint against Gaylord W. Jones' Rialto, Granite City, Ill.

An overbuying complaint brought by J. H. Hogue and the Lead Belt Amusement Co., operators of the Elite, Metropolis, Ill., against W. A. Collins, Illinois, same town, was dismissed.

Bank Night War Widens

Kansas City, July 24.—The war on bank nights was extended here today with the filing of complaints by Mrs. A. Baier, acting for herself and other exhibitors, against the Colonial, Southtown and Westport theatres.

Chicago Board Suspends

Chicago, July 24.—At its final meeting until about Nov. 1 the clearance and zoning board heard 10 complaints. During its existence 66 cases have been filed with the local board. Fifteen were withdrawn while the board made determinations in 41 complaints.

Assessment Schedule Made Public by NRA

(Continued from page 1)

lic a schedule submitted by Campi for the production and distribution branches of the industry, will pay from $600 to $1,500 a year each, with Monogram slated for the highest figure, Majestic and Mascot for $900 and the others for $600 each.

Independent producers, in Group two, are listed for $20 per month each, as are "miscellaneous importers, exporters and producers."

"Independent exchanges" are scheduled, for the most part, at $6 per month each, but some are to be assessed $12, $18 and $24, and a few at $36.

Notice was given by the Administration that criticisms, objections or suggestions regarding this basis of assessment would be received by Division Administrator Sol A. Rosenblatt up to Aug. 6.

Appeals Committee Has Four Cases Up

(Continued from page 1)

the Crandell, Chatham, N. Y., appealed from the Albany grievance board; a clearance and zoning complaint involving the same litigants; a clearance and zoning complaint brought by Leonia Amusement Corp., Leonia, N. J., against Skouras' Fox and Warners' Oritani, Hackensack; Skouras' Plaza, Englewood, and Queen Anne, Bogota; Loew's Embassy, North Bergen; RKO's Capitol, Union City, and Skouras' Park Lane, Palisades, appealed from the New York clearance and zoning board, and a reduced admissions complaint brought by Cirstand Theatres, Ltd., against Alhambra Amusement Co., Fox West Coast, et al, Alhambra, Cal., appealed from the Los Angeles grievance board.

Austin Keough was chairman of the appeal committee which met yesterday.

Protest Coming on Atchison Clearance

Kansas City, July 24.—Dissatisfied with the clearance adopted by the clearance and zoning board for Atchison, Kan., Roy Dunnuck, only independent in the town, told Motion Picture Daily he would file an appeal with Campi. His opposition is Fox Midwest, which he claims is favored by the plan, although it also benefits Dunnuck in some respects.

Exhibitors in St. Joseph, Mo., and Wichita, Kan., other cities for which clearance has been set, are reported willing to give the new setup a trial. This marks the first time that formal clearance and zoning schedules have existed for cities in the territory outside Kansas City. Clearance for other cities, with the exception of those covered, was not considered because no protests were filed.

Pierson Buys at Oxford

Oxford, O., July 24. — Richard Pierson, operating a string of houses in the Louisville sector, has purchased the Oxford here from Joseph Neiser, owner.

Moscow for Give and Take Film Policy

(Continued from page 1)

in the United States which will yield greater returns than heretofore, he indicated that arrangement of exclusive rights for American imports was looked upon favorably here.

"Good business procedure on our part," said Usievitch, "naturally dictates that we offer an attractive Soviet market for foreign films and equipment to any organization that will make it possible for us to market our films in the United States on a wider scale than heretofore.

"Our purchases will be determined primarily by our income. The more we sell, the more we buy."

Usievitch foresees a wide market in Russia for picture equipment.

"We can use American technical advice in the establishment of a factory for producing equipment much along the lines of the Ford factory established here," he said. "This factory, established here with Ford's assistance in 1930, has yielded him $25,000,000.

"Our 225,000 collective farms as well as our urban settlements are all potential buyers of movie apparatus."

In the event that an arrangement is consummated Vladimir Verlinsky, president of Amkino in New York, who is now carrying on negotiations, will be retained as agent for the Moscow offices. Negotiations are expected to reach a head shortly. Verlinsky is in daily communication with Moscow.

Report Berlin Film Rules Hurt Exports

Washington, July 24.—Although the German film industry has undoubtedly gained fundamentally in many directions as a result of regulations by the present government, the drastic official censorship of films has seriously affected business abroad, according to a report to the Commerce Department from Trade Commissioner G. R. Canty, Berlin.

Several leading German firms, he states, have already started production, and, although details are not available, it is estimated that between 140 and 145 features, compared to 136 in 1933-34, will be produced, with from 20 to 25 of these in such cities as Prague, Vienna, Budapest and Paris.

To Discuss Benefit Fund

Kansas City, July 24.—Creation of an employes' benefit fund will be among subjects discussed at Fox Midwest Theatres annual convention at Topeka, Aug. 14 and 15, which all managers and executives in the division will attend. Methods of financing the fund will be dealt with.

Free Shows Worry K. C.

Kansas City, July 24.—Free shows sponsored by merchants are making further inroads in Kansas City. Merchants in the northeast district are showing films on Wednesday nights, while merchants in the Waldo community are sponsoring free shows each Thursday night. Both are outdoor, one in a lumber yard.

Short Subjects

"Tomorrow's Citizens"

(Atlas)

This was produced by Atlas of Chicago in cooperation with the Loyal Order of Moose and is to be exhibited in theatres through cooperative deals between local lodges and exhibitors.

It is a surprising film for those not familiar with the big institution maintained by the Moose at Mooseheart, Ill., where orphans of members are brought up from infancy and graduated from high school with a trade learned at an expense of $1,000,000 a year.

There are no statistics in the film. It has a narrative, and short shots of the various activities, including a big band, with some elements of humor. Running time, 11½ minutes.

"Poor Cinderella"

(Fleischer-Paramount)

The familiar Cinderella and Prince Charming story with Betty Boop as the central character. This short is done in Cinecolor under a process which gives the film a definite third dimensional effect and, therefore, something new in cartoon work. Treated lightly and played for chuckles, the subject is a fine example of how diverting a seven minute attraction can be. The color work, occasionally blatant, is generally excellent.

"The Wax Works"

(Universal)

In this cartoon Oswald is the curator of a wax museum. A child is left at his door one stormy night and he takes it in. Most of the reel concerns the child's having a nightmare, in which the wax figures come to life and he is pursued by Dracula, Frankenstein, The Invisible Man, The Hunchback of Notre Dame and countless other monsters. Fairly entertaining. Running time, 8 minutes.

Many New Contracts Are Signed on Coast

Hollywood, July 24.—New studio pacts:

David O. Selznick has signed Hugh Walpole to a second contract calling for his services until next December. He will act as a technical advisor on "David Copperfield" and possibly will adapt his novel. "Vanessa." It is also reported the studio wants to contract him for originals.

Phil Regan has annexed himself a new six-month contract from Warners. First assignment will be "Sweet Adeline." The actor recently completed a role in M-G-M's "Student Tour" on a loanout.

Paramount has handed writing tickets to Boris Ingster and Leon Gordon. Ingster goes to work on the adaptation of "Are Men Worth It?" with Gordon doing the screenplay on "Yellow Bargain," which is slated to co-star Lloyd Nolan and Evalyn Venable.

Dorothy Wilson, who recently rose from a stenographer's chair at Radio to a featured player, has been signed by Invincible to play the title role in "A Girl Must Live." an original by Karl Brown and Robert Ellis.

Byron Morgan checked in at Fox last week to do the screenplay on "Hell in the Heavens," air yarn to feature Warner Baxter. John Blystone will direct with Al Rockett producing. Production will start Aug. 22.

Paramount has given new long term contracts to Sir Guy Standing, actor, and to Phyllis Laughton, studio dramatic coach.

Peter Trent, brought over from England by M-G-M as a possible candidate for the top role in "David Copperfield," has been signed to a long-term contract.

Walter Donaldson and Gus Kahn, song writers, have been signed to a long term contract by M-G-M calling for their exclusive services for one year.

Tim McCoy's first western under his new contract with Columbia will be "Wolves of Catclaw," an original by Jack Natteford. D. Ross Lederman will direct.

Columbia has signed Eddie Larkin to a long term contract as a dance director. His first two productions will be "Hollywood Cinderella" and "The Girl Friend."

Warners are augmenting their list of 62 stock players with 15 girls to be selected from the chorus of "Flirtation Walk." The girls will be given contracts on a weekly salary.

Ainsworth J. Morgan has joined the Paramount writing staff. For his first assignment he is collaborating with William R. Lipman and Gladys Lehman on the next Sylvia Sydney vehicle, "The Bread Woman."

Mary Treen, who has just finished work in "Gentlemen Are Born," has been signed by Warners to a long term contract.

Warners have torn up Pat O'Brien's old contract and have written him a new long-term agreement calling for star billing and a raise in salary. At present, O'Brien is being featured in "I'll Sell Anything."

"Bondage" on Dual Top in Providence

Providence, July 24.—"Of Human Bondage" and "I Can't Escape," a dual bill, made the best comparative showing of the week here, $7,200 at the RKO Albee. This is $200 over par.

The little RKO Victory, with a 25-cent top, took $1,100, up by $100, with "Border Menace" and "Love Past 30."

Hot weather hit all the other first runs, sending thousands to nearby beaches.

Total first run business was $25,200. Average is $33,500.

Estimated takings for the week ending July 19:

"MIDNIGHT ALIBI" (Warners)
"PERSONALITY KID" (Warners)

MAJESTIC—(2,400), 15c-40c, 7 days. **Gross:** $4,800. (Average, $7,000)

"BULLDOG DRUMMOND STRIKES BACK" (U. A.)

LOEW'S STATE—(3,800), 15c-40c, 7 days. Larry Rich on stage. **Gross:** $9,100. (Average, $12,000)

"GREAT FLIRTATION" (Para.)
"GREEN EYES" (Monogram)

PARAMOUNT—(2,300), 15c-40c, 7 days. **Gross:** $4,000. (Average, $6,500)

"OF HUMAN BONDAGE" (Radio)
"I CAN'T ESCAPE" (Beacon)

RKO ALBEE—(2,300), 15c-40c, 10 days. **Gross:** 7,200. (Average, $7,000)

"BORDER MENACE" (Century)
"LOVE PAST 30" (Century)

RKO VICTORY—(1,600), 10c-25c, 4 days. **Gross:** $1,100. (Average, $1,000)

"Baby" Is $6,000 High in Portland

Portland, July 24.—"Baby Take a Bow" was the best draw of a decidedly drab week. It secured $6,000 at the Paramount augmented by "Here Comes the Groom." This is $1,000 over normal.

With the waterfront strike still on balance of first runs could not come up to average.

Total first run grosses were $20,400. Average is $22,000.

Estimated takings for the week ending July 18:

"SORREL & SON" (U. A.)
"MIDNITE ALIBI" (F. N.)

BROADWAY—(1,912), 25c-35c-40c, 7 days. **Gross:** $4,700. (Average, $5,000.)

"COCK-EYED CAVALIERS" (Radio)

HAMRICK'S MUSIC BOX—(2,000), 25c-35c-40c, 7 days. **Gross:** $2,300. (Average, $3,000.)

"WHERE SINNERS MEET" (Radio)
"PERSONALITY KID" (Warners)

HAMRICK'S ORIENTAL—(2,040) 25c, 7 days. **Gross:** $1,800. (Average, $2,000.)

"SIN OF NORA MORAN" (Majestic)

PANTAGES—(1,700), 15c-25c, 7 days. Stage show. **Gross:** $1,600. (Average, $2,000.)

"BABY TAKE A BOW" (Fox)
"HERE COMES THE GROOM" (Para.)

PARAMOUNT—(3,008), 25c-35c-40c, 7 days. **Gross:** $6,000. (Average, $5,000.)

"STAMBOUL QUEST" (M-G-M)

UNITED ARTISTS—(945), 25c-35c-40c, 7 days. **Gross:** $4,000. (Average, $5,000.)

"Bow" and "Ritzy" Fair in Montreal

Montreal, July 24.—Local theatres struggled on against the humidity during last week. The fans could hardly raise an eye to the swellest film treat in town, although the Capitol secured $7,500 on "Baby, Take a Bow," and "Let's Be Ritzy."

The Palace collected $6,000 with "Shoot the Works" and "Friday the Thirteenth," while the Princess was in the running with $5,500 for "Born to Be Bad" and "The Party's Over." Loew's slipped to $4,500 with "Fog over Frisco" and "Affairs of a Gentleman."

Total first run business was $27,500. Average is $43,000.

Estimated takings for the week ending July 21:

"BABY, TAKE A BOW" (Fox)
"LET'S BE RITZY" (Univ.)

CAPITOL—(2,547), 25c-35c-40c-50c-60c, 7 days. **Gross:** $7,500. (Average, $9,000)

"THE SIN OF NORA MORAN" (Majestic)

"MANHATTAN LOVE SONG" (Monogram)

IMPERIAL—(1,914), 25c-40c-50c, 7 days. Stage: The Great Togo; Earl Faber & Co.; Kola & Dunya; Otto & Gerda; Earl Bros. & Lee; Eemilia Hayman; Pearl Morris; Wally Brown. **Gross:** $4,000. (Average, $6,500)

"FOG OVER FRISCO" (F.N.)
"AFFAIRS OF A GENTLEMAN" (Univ.)

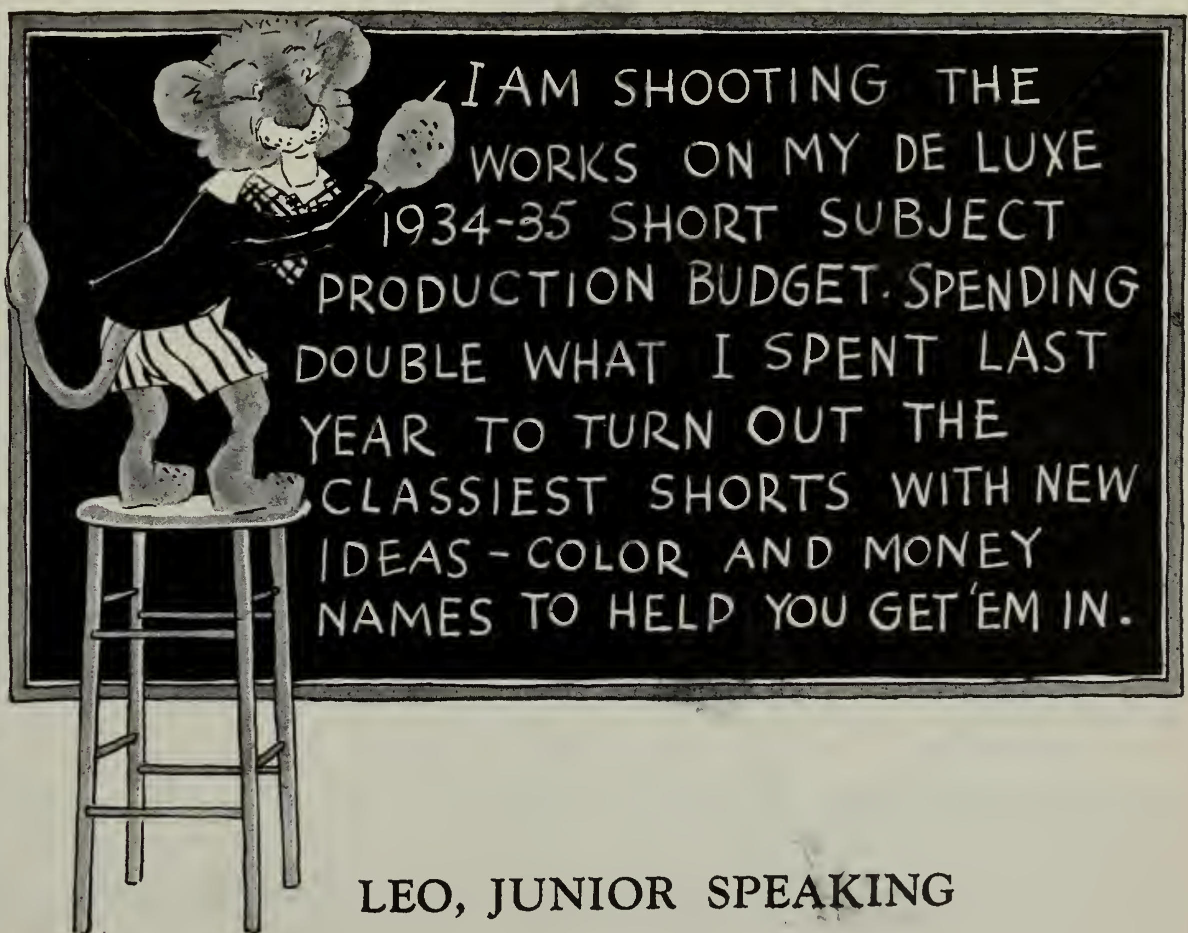
LOEW'S—(3,115), 25c-35c-50c-65c, 7 days. **Gross:** $4,500. (Average, $10,500)

"SHOOT THE WORKS" (Para.)
"FRIDAY THE THIRTEENTH" (British)

PALACE—(2,600), 25c-35c-50c-60c-75c, 7 days. **Gross:** $6,000. (Average, $11,000.(

"BORN TO BE BAD" (U.A.)
"THE PARTY'S OVER" (Col.)

PRINCESS—(2,272), 25c-35c-50c-65c, 7 days. **Gross:** $5,500. (Average, $6,000)


I AM SHOOTING THE WORKS ON MY DE LUXE 1934-35 SHORT SUBJECT PRODUCTION BUDGET. SPENDING DOUBLE WHAT I SPENT LAST YEAR TO TURN OUT THE CLASSIEST SHORTS WITH NEW IDEAS - COLOR AND MONEY NAMES TO HELP YOU GET 'EM IN.

LEO, JUNIOR SPEAKING

Hollywood on Mend As Cleanup Gains

(Continued from page 1)

the industry adopted in good faith and the fair-mindedness evidenced by producers after facts from church and press were unloaded to them in such overwhelming profusion.

After passively resisting blasts from dignitaries of the cloth from various sections of the country and taking one from W. R. Hearst on the chin, from far off Europe, producers have settled down in earnest to adjust, rectify, recover and reconstruct.

While, at first, scattered requests for resignation of Will H. Hays caused confusion in camp, an authoritative denial of any such move spread oil on troubled waters and seemed to buttress the standing of leadership, strengthened by William Gibbs McAdoo's recent remarks at the coast luncheon to Postmaster General Farley when he said Hays had done an outstanding job as the picture chief.

Critics Seemingly Quieted

Publication of the story that a fine of $25,000 would be imposed on any company releasing a film not passed by the Production Code Administration, has allayed further guesswork as to intent and purpose and seemingly quelled the clamor of clergy and newspapers.

Appointment of a single judge, Joseph I. Breen, clothed with full authority to pass on scripts and finished films is assuaging the attacking forces still more.

Furthermore, adoption of a standard seal of approval to be placed on each film passed, and certified in writing, has brought a rush of companies to be first recipients of the label, and created an impression that producers are all climbing on the decency bandwagon.

Finally, taking the alleged financial medicine by permitting exhibitors to cancel out films against which there was sincere protest prior to July 15, is the pill, prescribed by the patient itself, that brought about the seeming healthful condition now existing and the belief the crisis is passed.

Script Cleaning Begins

While the industry was gyrating through these maneuvers, struggling to its feet, obeying doctors' orders and expressing its own personal will to survive, last week saw the beginning of a healthy x-ray taken of all scripts and future properties with the elimination of some completely and the refurbishing of others considered as possible trouble-makers.

Today, it's "quiet on the Western Front" for all.

Tomorrow pictures, and they alone will serve as symptomatic guideposts, if any relapse occurs of this—the most critical illness the industry has so far suffered.

Latest medical report is this:
Temperature—fairly normal.
Respiration—likewise.
Recovery—imminent.
Reconstruction—favorable.

Two Dark in Terre Haute

TERRE HAUTE, July 24.—Two local popular playhouses, the Grand and the American, operated by the Fourth Avenue Amusement Co., have been closed for the summer. Both will be remodeled.

Says Legion Aim Is Clean Films and Not Destruction

(Continued from page 1)

arouse millions of Americans to a consciousness of the dangers of salacious and immoral pictures and to take action against them."

Continuing, he will state, in part:

"The Episcopal Committee learned that there was a serious dropping off in attendance at motion picture theatres. A loyal Catholic people as well as many other groups of different religious beliefs, convinced of the urgent necessity of a clean and wholesome screen, are registering their protest by staying away from theatres. This has been done not to destroy an industry, nor to ruin the business of exhibitors, nor to lessen opportunities for wholesome amusement, but, in the interest of the general good of society, to secure the assurance that only clean pictures would in the future be exhibited.

"The curtailment of attendance prompted the motion picture producers and exhibitors, representing about 90 per cent of the pictures produced or shown, to request that their representatives be heard at the conference of the bishops. Two delegates submitted proposals which gave assurances of a revision of the industry's plan of self-regulation. The principal point under consideration had to do with the Code of Morals voluntarily signed by most of the producers in 1930. The weakest provision of this code was for a jury in Hollywood to which the producer could appeal from the censor. The members of this jury were selected from competitive companies. Their decision was in nearly every instance in favor of their competitor and against the censor. At the Cincinnati meeting on 20-21 June, the Episcopal Committee was assured that henceforth the jury would be in New York and that its members would consist of the presidents of the M. P. Producers and Distributors of America.

Pleased by Promises

"The bishops were pleased to learn of this change. They expressed the hope that this new provision would mean that the industry at last had recognized its tremendous responsibility to the American public. But mindful of the broken promises of the past, the bishops did not overestimate the value of the new assurances given.

"The struggle, therefore, is not over. Public opinion must now be aroused and sustained everywhere as the strongest barrier against the immoral cinema. Public opinion, if governed by good sense and relentless in its opposition to the evil motion picture, has many advantages over censorship that may be politically controlled or corrupted or may become utterly indifferent to the commonweal. It must not be forgotten that the Hollywood jury failed to recognize its responsibility to the public and did not discharge its duty in the interest of the people. It is to be hoped that the cinema court of appeals in New York will be a thoroughly responsible body and will merit the confidence of the American people. Time will tell. Unfailing vigilance is necessary. It will enable us to record the actions of the New York executives constituting the new jury."

Explaining the machinery of the strengthened Production Code Administration and reflecting the attitude of the Episcopal Committee, the archbishop will declare further:

"After 1 July, 1934, the censor administration in Hollywood will be augmented. It is to be hoped that the industry will be faithful to its promise—not to produce objectionable pictures. Even though the producers are fully determined not to give the public another opportunity to be aroused about the salacious picture, and even assuming that they are taking every measure that no such pictures shall be produced henceforth, some time must elapse before all the pictures already produced, salacious in whole or in part, can be withdrawn. All this calls for ceaseless vigilance, and courage and prudence that must make the position of the church respected. It may be well to make clear that the church is not asking for a solemn type of picture that gives no real amusement, and no opportunity for a hearty laugh. The Catholic Church, in a true sense, is broad and liberal, and no legitimate recreation need fear her opposition.

"The producers and distributors who through their delegates met the bishops at their recent conference represented 90 per cent of the motion picture production of the country. Assuming that this organized industry will keep its word, there is still the danger that the other 10 per cent of production may resort to an output that is cheap and immoral. If this should happen, our people will be on their guard to stay away from theatres showing the films produced by this 10 per cent of the industry."

Says Films Not to Malign Jewish Race

KANSAS CITY, July 24.—Major producers have pledged not to depict Jews in an obnoxious light, stated Richard E. Gutstadt, national director of the B'nai Brith Anti-Defamation Commission, at a B'nai Brith meeting here. He disclosed the promise was given at a conference called by him in Hollywood attended by ranking production executives.

Discussing the present agitation, Gutstadt declared: "It is high time for American Jewry to recognize that the cheap, salacious smut and vulgarity which is to be found in many pictures is a reflection, and we must fight alongside the Catholic and Protestant churches to clean up our movies."

Hays Is Defended by Michael in Buffalo

(Continued from page 1)

the turmoil that has been created. The present situation has been brought about in a great measure by distributors who were interested in creating something for their personal gain, regardless of the cost to the industry."

Three exhibitors have been named to the council's board as a result of a promise of cooperation from ex-

Hays Due Today

Will H. Hays is due in New York from Hollywood today by air.

Follow the Rules, Milwaukee Dictum

(Continued from page 1)

Decency and other organizations which have taken a stand against block booking, but so far distributors remain unmoved. They say cancellations will be on an individual basis when exhibitors show a local protest has been made against the showing of a picture.

Chicago Paper Hails Cancellation Scheme

CHICAGO, July 24.—The privilege granted the exhibitor to cancel any picture adjudged indecent by organized public opinion in his community "should go a long way toward quieting any legitimate complaints," says an editorial in the *Chicago Sunday Tribune*. The newspaper adds that "this arrangement is preferable to any centralized moralistic censorship which may be imposed upon the industry" since "no right of the producer to develop his art is invaded and no right of the adult public to obtain the kind of entertainment it desires is infringed. It goes on:

"If the spirit of the ruling is adhered to, and we do not think there is any fair reason to expect the contrary, the responsibility for showing undesirable pictures in the immediate future will fall directly upon the theatre owners and managers. They can no longer excuse their offerings by saying that the films have been forced upon them by the block-booking system which requires them to show pictures whether their patrons want them or not. If any one is offended by the offerings he will know whom to blame."

Chicago Legion Aims Attack at Theatres

CHICAGO, July 24.—Plans for punishing theatres, probably with a boycott, that show films not endorsed by the Legion of Decency are being discussed here at Catholic Youth headquarters. Vigilance committees are to be appointed in different neighborhoods to check on pictures played. Members of the Holy Name Society will act as vigilantes.

A concerted program for enlisting Catholic women in the campaign was launched here at a meeting today held at the Grand Opera house. The meeting was under the direction of the Chicago Council of Catholic Women.

BUFFALO, July 24.—Dr. Edward S. Schwegler, assistant pastor of St John the Evangelist Church, has been appointed by Bishop William Turner of the Catholic diocese of Buffalo to be diocesan director of the Legion of Decency. Father Schwegler has just returned from a two months' trip to Europe, hence is unfamiliar with his new duties.

No weekly lists of approved and disapproved films will be issued for the present. The movement will be concentrated on pictures and not aimed at objectionable books and magazines.

Trailers and ad copy for films are often more objectionable than the pictures themselves, Father Schwegler declared as he entered on his new duties.

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Giannini Will Insist Upon O.K.'d Stories

Necessary for Financing In Future, He Says

CHICAGO, July 25.—Approval of stories will be a condition laid down by A. H. Giannini before he makes any new film investments, he declared here today between trains on his way to New York.

When applications are made for financing, he said, he will make sure Joseph I. Breen's office has issued a certificate of approval, so that later changes and possible disapproval of the finished production will be obviated.

Four big pictures which had been

(*Continued on page* 16)

"U" Deals Showing Big Jump for Year

Universal's recent deals with the Music Hall and the Loew circuit in this territory represent an increase over last year of 215 per cent in sales volume, according to James R. Grainger, general sales manager.

Universal regards this and a general increase in bookings as a sign of returning business confidence. The booking department reported to Grainger yesterday that up to and including last Saturday the sales were eight times higher than they were last year at this time.

Fay's 'Fool's Advice' For Warner Release

"Fool's Advice," produced at the Columbia studio about two years ago by Frank Fay, will be released on the

(*Continued on page* 16)

In the Name of Art

Hollywood, July 25.—Walt Disney is going to raise Mickey's brows. They're not high enough for all the attention he's getting.

Latest erudite gesture in his direction is the announcement that Earl Theisen, honorary curator of films at the Los Angeles Museum, is going to write a September bulletin for the editors of the Encyclopaedia Brittanica on "The Story of the Animated Cartoon from the Phenakistoscope to Mickey Mouse."

It was a long trip.

Code Reform Working; Breen Has Situation in Hand—Hays

Kansas City, July 25.—Increased powers given to Joseph I. Breen, Production Code Administrator, already have accomplished many reforms and the administrator has the situation well in hand, Will H. Hays told *Motion Picture Daily* early this morning. He was aboard a fast TWA plane, bound from Hollywood to New York, and was accompanied by Walter Trumbull, special public relations representative of the M.P.P.D.A.

Breen's staff has been enlarged with the addition of six assistants as part of the application of the code machinery, added Hays, who then dictated this statement:

"There is one answer and one answer only to any reasonable objection to pictures and that is, say it with pictures."

He lauded Martin Quigley's article, "The Decency Campaign—Inside and Out," and expressed his approval of its text.

Arthur M. Loew of M-G-M was a passenger on the same plane.

Will H. Hays, Walter Trumbull and Arthur M. Loew arrived at Newark Airport yesterday afternoon from Hollywood. Thus *Motion Picture Daily* records an interview with Hays in Kansas City and his arrival in New York in the same day.

Campi's Funds To Date Total At $124,303

A total of $124,303 in Code Authority assessments has been paid into the Campi treasury to date, it was stated yesterday. Exhibitors paid $77,603 and major producers and distributors $46,700 of the amount, which is applicable to Campi's semi-annual budget of $180,000.

Exhibitors are assessed one-half the budgeted amount, or $90,000 semi-annually, while producers and distributors, both affiliated and independent, make up the other half.

The schedule of assessments for producers, distributors and exchanges,

(*Continued on page* 4)

ITOA Delays Move On Film Campaign

A program to cope with the church decency campaign against films will be developed by the I. T. O. A. for members only in the event that theatres actually suffer from the cam-

(*Continued on page* 16)

More Austrian Film Worries Anticipated

Film men in New York yesterday read into cabled news of the new Austrian revolt leading to death of Chancellor Dollfuss further disturbance in

(*Continued on page* 16)

Los Angeles Lease Widens F. & M. Power

Fanchon & Marco's theatre expansion move nationally is given impetus by a five and one-half year lease on the Los Angeles Paramount, which is scheduled for a hearing today by Special Master John E. Joyce and Paramount creditors directly involved in the transaction.

F. & M. are scheduled to begin operation of the Ambassador, Missouri and Grand Central, St. Louis, within the next week or 10 days. The company also operates the Orpheum, San Francisco. Approval of the lease today on the Los Angeles Paramount

(*Continued on page* 16)

L. A. Board Hears Demand for Singles

LOS ANGELES, July 25.—Dual bills received another blow today at an open meeting of the zoning board at the Wiltern Theatre when sentiment was shown to be opposed to I. E.

(*Continued on page* 16)

Percentage Selling At Peak, Says Ross

CHICAGO, July 25.—More percentage pictures have been sold this season than in any previous time, according to Harry Ross, whose organization,

(*Continued on page* 16)

More Salary Moves Hinted By Rosenblatt

Silent on Details, But Will Confer on Coast

ALBUQUERQUE, July 25.—There will be further developments on his salary recommendations, but no further report, declared Division Administrator Sol A. Rosenblatt here today.

He was silent on what direction the developments would take, although he admitted he would confer with producers on salary angles while on the Coast. He was westbound on the Chief when interviewed.

His recommendations regarding further suspension of the star raiding clauses of the code will be the subject of an executive order by the President or an administrative order by Administrator Hugh S. Johnson, he asserted.

The order will be issued upon his return from the Coast.

On his return trip Rosenblatt will

(*Continued on page* 4)

Fox New List Start Is Set for October

CHICAGO, July 25.—Fox will swing into its new production season in October with "One More Spring," starring Janet Gaynor and Warner Baxter, and "In Old Kentucky," said Winfield Sheehan, production head of Fox, between trains here today on his way to New York and a European vacation.

Sheehan will sail from New York Saturday. In addition to his usual stops at London and Paris he will spend considerable time in Italy, Sicily, Hungary and Austria, combining business with pleasure. He may sign players and acquire several stories.

Loew's and Warners Disregard Petition

Loew's and Warners are not wary of the petition for reorganization of Fox Metropolitan Playhouses under

(*Continued on page* 16)

New Title

Hollywood, July 25.—Afflicted with a plethora of relatives, one specific relative of a specific producer has been referred to as "the kin you love to touch."

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Superior Enjoined On Merriwell Name

Federal Judge Alfred C. Coxe has granted a preliminary injunction restraining Superior Pictures, Inc., from distributing pictures that have in their title the name Frank Merriwell.

The action grew out of a suit brought by Gilbert Patten, author of the Frank Merriwell series, against the company when the proposed series was originally advertised, naming Frank Merriwell as the star. Superior Pictures stated yesterday that the pictures will be made, but will be called "Northwest Mounted" with Frank Morton as the star.

Rumored Giving Up Two

NEW ORLEANS, July 25.—The rumor is current here that Klaw & Erlanger are about to give up their lease on the Tulane and Crescent.

It was said here yesterday by Leonard Bergman, K. & E. general manager, that the circuit did not contemplate relinquishing the two New Orleans houses.

Normalcy at Criterion

The Criterion proceeded on schedule yesterday with no projection or other kind of difficulties, as against trouble which interrupted preview of "Cleopatra" Monday morning.

It was declared yesterday the men in the booth had nothing to do with fuse difficulties, discovered in the basement, which caused the original break.

T. P. Drew to Take Register Job Here

Thomas P. Drew, general sales manager for Western Electric in England, has resigned to take over general representation in this country of General Register Corp., of which Percy Phillipson is president.

He sails from the other side on Aug. 26 and takes over his new duties Sept. 1. With affairs thus set, Phillipson will remain until the end of that month and then return to London.

Drew joined Western Electric in 1929 as assistant sales manager during the regime of W. A. Bach, now president of Audio Prod., Inc. here. In September of that year, he was named general sales manager. F. C. Leach, at present Drew's assistant in London, succeeds him.

Philadelphia IEPA Opens New Quarters

PHILADELPHIA, July 25.—The I. E. P. A. has dedicated its new headquarters at 1313 Vine St. Morris Wax, chairman of the board of managers, opened the dedicatory session, followed by a few remarks from the president, B. M. Golder. Dave Barrist formally acknowledged the various organizations which had contributed time and material to the new building.

Right in the heart of the Vine St. belt, the new headquarters are conveniently located. In addition to an auditorium for open meetings, there are two private offices and a reception room.

Mundus Adds Seven To Selling Forces

Seven additional sales representatives have been added to the Mundus sales force handling the company's 27 feature releases throughout the country.

The latest additions to the staff include: Arthur Abeles, New York; Rubin Brenner, Philadelphia; Moe J. Gould, Pittsburgh; Harvey Schneider, Washington; Herman Booth, Cincinnati; Moe Geiger, Cleveland, and M. S. Epstein, Los Angeles.

Hal Roach Coming East

HOLLYWOOD, July 25.—Hal Roach will leave for New York Monday for a two-week business trip.

H. K. Davis, Court Referee Here, Dead

Henry K. Davis, referee in bankruptcy, who presided over Paramount Publix and Publix Enterprises bankruptcy proceedings from early in 1933 until May of this year, died at Cornell Medical Center yesterday following a long illness.

Davis, who was 58 years old, withdrew from activity in Paramount and other bankruptcy affairs last spring in order to rest and recuperate at Atlantic City. His condition grew steadily worse and he was taken to the Medical Center several weeks ago. He died of pneumonia, which developed recently. Funeral services will be held Saturday from the Fordham Manor Reformed Church at 10:00 a. m.

Talley, Stallings, Back, Busy on Plans

Truman H. Talley, Fox Movietone News general manager, and Laurence Stallings, new editor, are rapidly whipping into shape details of the new production plan that goes into effect when Fox and Hearst Metrotone split Sept. 1.

On the European trip just finished Talley and Stallings held a convention in Paris attended by Benjamin Miggins, European director; Russell Muth, central European supervisor, and the cameramen and editors from every country on the continent.

In London Gerald Sanger, editor of British Movietone News, assembled his staff for another discussion of policies.

Hearst Reel Deals Are Set in Europe

Newsreel bureaus, working in close conjunction with International News Service, were set up in Rome, Berlin and Paris for Hearst Metrotone News while he was abroad, declared Edgar B. Hatrick yesterday. At the same time, correspondents were rearranged, strengthened and augmented in other European capitals.

The first issue of Heart's newsreel on its own is slated to appear Oct. 2. The new equipment, in many instances, will be Erpi's new lightweight recorder.

Trading Light on Big Board

	High	Low	Close	Net Change	Sales
Columbia Pictures, vtc	24⅜	23½	24	— ¼	900
Consolidated Film Industries	2¾	2¾	2¾	.....	100
Consolidated Film Industries, pfd	12⅝	12⅛	12½	.....	400
Eastman Kodak	97½	96¾	97½	.....	200
Fox Film "A"	9¾	9	9⅝	+ ½	1,000
Loew's, Inc.	23⅞	22½	23¾	+ ½	8,000
Loew's, Inc., pfd	82	81	81	— 4	200
Paramount Publix	3	2¾	3	+ ¼	3,100
Pathe Exchange	1⅝	1½	1⅝	.....	1,600
Pathe Exchange "A"	15	14⅛	15	+ ½	1,300
Warner Bros.	3¾	3¼	3¾	+ ⅜	7,300

Technicolor Up 3/8 on Curb

	High	Low	Close	Net Change	Sales
Technicolor	12⅜	11⅞	12⅜	+ ⅜	1,500
Trans Lux	1⅛	1⅛	1⅛	.....	100

Bond Market Slumps Sharply

	High	Low	Close	Net Change	Sales
General Theatre Equipment 6s '40	6½	6	6½	.....	19
General Theatre Equipment 6s '40, ctf	6¼	6¼	6¼	— ¾	2
Keith B. F. 6s '46	62½	62½	62½	—1½	4
Loew's 6s '41, ww deb rights	98	97¾	98	.....	5
Paramount Broadway 5½s '51	38	38	38	.....	6
Paramount F. L. '47, cts	40½	40½	40½	—5½	2
Paramount Publix 5½s '50	41⅜	39¾	39¾	—1½	25
Warner Bros. 6s '39, wd	51⅛	50½	51	.....	46

◂ Purely Personal ▸

CARLOS GARDEL, Argentine star, who has just completed his second feature in Spanish for Paramount at the Eastern Service Studios, will be host at an Argentine barbecue at the studio tonight. He leaves shortly for Hollywood to appear in "Big Broadcast of 1935."

HOWARD S. CULLMAN, receiver for the Roxy, lunched yesterday with MR. and MRS. JAMES ROOSEVELT, and MRS. ROOSEVELT'S sister, BARBARA CUSHING, who are leaving shortly for the coast to meet the President on his return.

ROBERT ARMSTRONG has arrived here to appear in "Gigolette" for Select. He will return to the coast Aug. 15 to start in Monogram's "Flirting with Danger."

R. C. SHERIFF, writer, left yesterday for the coast with the unfinished manuscript of "Within This Present," which he is doing for Universal.

VINCENT LOPEZ and his band arrive in town tomorrow morning from Pittsburgh in time to start a week with the Capitol stage show.

CHARLES WILLIAMS and NANCY KLAUBER are completing the final drafts of the songs and lyrics for "Gigolette," which Select starts soon.

R. A. MCGUIRE, assistant to H. M. DOHERTY, Warner auditor of exchanges, has been out for two weeks with an attack of tonsilitis.

FRANK C. WALKER left last night for Glacier Park., Mont., to spend the month of August.

BESSIE MACK of the Capitol is back from a short visit with upstate relatives.

ALAN DINEHART is in town from the coast and is stopping at the Alamac.

Johnsons May Quit African Film Trips

CHANUTE, KAN., July 25.—Mr. and Mrs. Martin Johnson have completed what is probably their last African expedition. Letters received here by relatives disclose the Johnsons arranged to dispose of their property in Nairobi before leaving for home, and do not expect to return to Africa.

The next trip planned by the Johnsons will be to the South Sea Islands, where they made their first picture, "Cannibals of the South Seas."

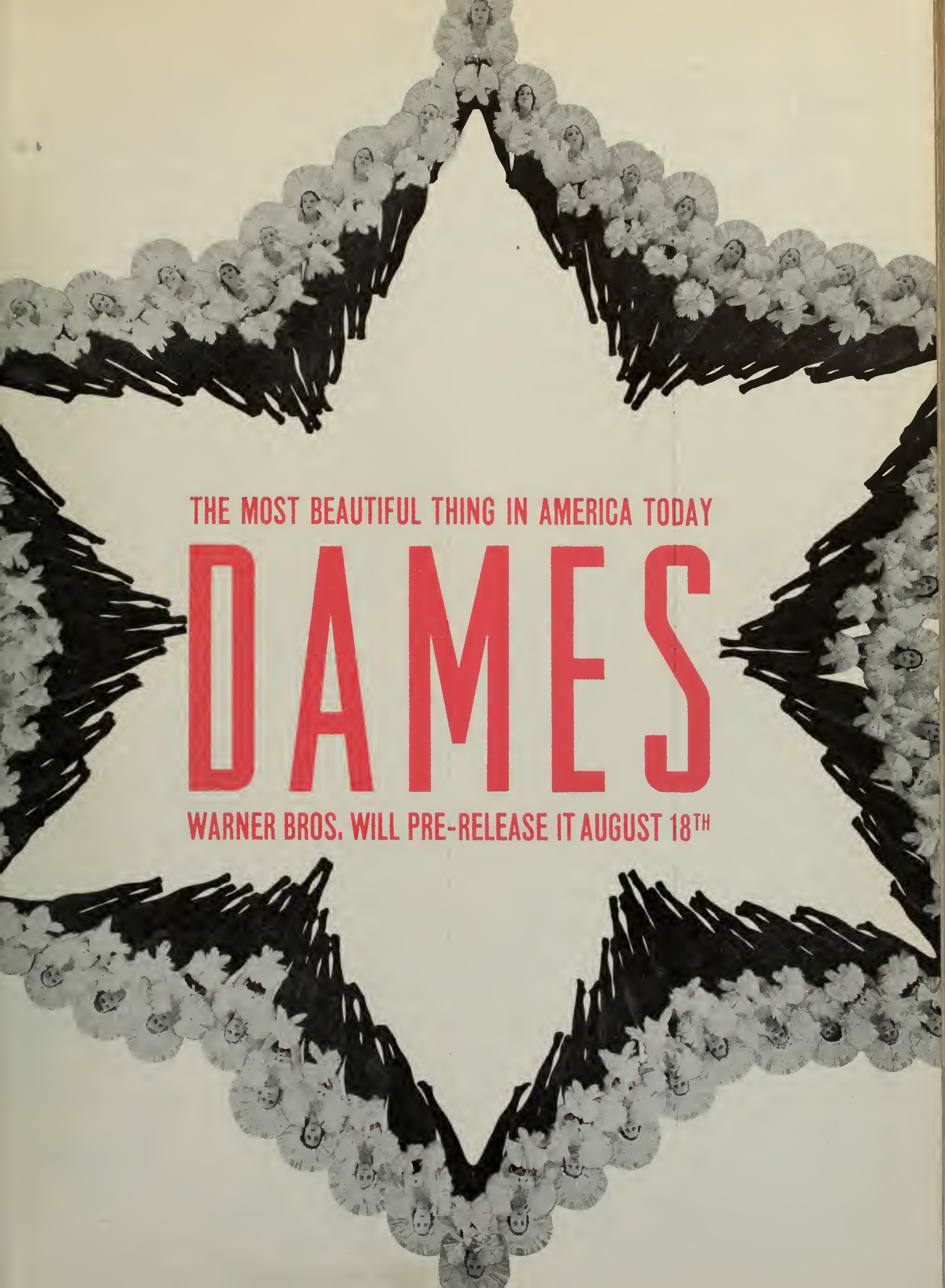
The Johnsons expect to arrive in New York about Aug. 25. Mrs. Johnson has been ill in a Nairobi hospital and will undergo a surgical operation on arrival in New York.

Fedor to Open New Spot

DETROIT, July 25.—Julius Fedor, operator of the Cozy, LaPorte, Ind., will open a new theatre in the fall at St. Joseph, Mich., a Butterfield town for the past dozen years. The theatre is to seat about 1,000.

P. A. Powers Signs Mack

Wellington Mack, who writes comedy pantomime for circus clowns, has been signed by P. A. Powers for the Comicolor cartoon story department. Mack has himself been a clown.



THE MOST BEAUTIFUL THING IN AMERICA TODAY

DAMES

WARNER BROS. WILL PRE-RELEASE IT AUGUST 18TH

Campi's Funds To Date Total At $124,303

(Continued from page 1)

made public in Washington by the NRA Tuesday following receipt of its approval from Division Administrator Sol A. Rosenblatt, was amplified by Code Authority yesterday. Under the schedule, which was drawn by the Campi finance committee, consisting of Nathan Yamins, chairman; Sidney R. Kent of Fox, and H. M. Warner, with W. C. Michel and Harold S. Bareford acting as alternates for the latter two, the eight M.P.P.D.A. producing and distributing companies will contribute $150,000 and independent producers and exchanges $40,620 to Campi's annual budget of $360,000.

The $40,620 assessment levied against independents provides for a $10,620 shrinkage from smaller companies which may find themselves unable to pay.

The schedule of assessment against exhibitors, based on population of the city or town in which the theatre is located and the theatre's run, varies from $12 in the smallest situation to $96 in the largest on an annual basis. This schedule was approved by the administrator earlier.

Objections May Be Filed

Objections to the schedule of assessments for producers, distributors and exchanges may be filed with Rosenblatt up to Aug. 6. Although some of the larger producer-distributors have made payments in advance on their assessments, actual billing of code signers of these classifications will not be begun until after the date for filing objections.

The schedule assesses Warner, Paramount, M-G-M, Fox, United Artists and RKO at $20,000 annually, and Universal and Columbia at $15,000, for a total of $150,000.

The assessments against independent producers, distributors and exchanges are made on the basis of three divisions. The first, which includes 16 producers, will pay a total of $11,100 annually; the second, which includes 57 producers, will pay $13,680 annually, and the third, which includes independent or state right exchanges, will pay $15,840 annually. No assessments are made against nonsigners of the code, except in the case of exhibitors who have applied for the 10 per cent cancellation right.

The 16 independent producers in Group 1 are assessed as follows:

	Per Month	*Per Year*
Monogram	$125	$1,500
Majestic	75	900
Mascot	75	900
Liberty	50	600
Invincible	50	600
Chesterfield	50	600
Walt Disney	50	600
Educational	50	600
International Newsreel	50	600
Sol Lesser	50	600
Movietone News	50	600
National Screen	50	600
Pathe News	50	600
Hal Roach	50	600
Charles Rogers	50	600
Van Beuren	50	600
Total	$925	$11,100

The 57 producers, import and export companies, comprising Group 2 are assessed $20 per month each for a total of $13,680 annually. In this group are the following:

H. W. Auten, Chester Beecroft Prod., Wm. Berke Prods., Bray Pictures Corp., Charles Chaplin, Cinelog Corp., Elmer Clifton Prod., Warren Doane, Douglas Fairbanks Prod., F. & M. Stageshows, Futter Corp. Ltd., General Film Prod., Ltd., Edw. Halperin, Hollywood Pictures Co., Ideal, General Layman, Lou Lewens, Harold Lloyd Pictures Corp., Moser & Terry, Premier Attractions, Raspin rod., Remington Prod., Grantland Rice, Screenart, Wm. Sistrom, West Coast Service Studios, W. A. Films, Chenowith Film (Omaha), Nelson Edwards (Baltimore), Lang Film, Lynn Shores, Mentone, National Cinema Service (St. Louis), Olympia Marci Prods., Photocrom, Strickland Industrial.

The Breakdown

Independent and state right exchanges are assessed in proportion to the amount of film sold by each and are divided into four classes, one each of $36 per month, $18 a month, $12 a month and $6 a month.

Miscellaneous Importers, Exporters & Producers

National Screen (Hollywood), Ameranglo, Principle Dist. Co. (Hollywood), Amity, Astor, Celebrity, Edited Pictures, Educational Pictures, Empey, Gaumont, World-Wide Pictures, German-American, Paul Goldman, Ideal Sound Studios, Mayfair, Modern Film Sales, UFA, Wm. Vogel, W. Von Bechtalshein.

Independent and state right exchanges and their monthly assessments total $15,840 a year. They break down into various divisions as follows:

$36 a Month

New York—First Division, Majestic (Capital), National Screen.

$24 a Month

New York—General Pictures Exchange, Arthur Greenblatt, Inc., Hollywood Films, Marcy, New Era, Principal, Syndicate.
Philadelphia—Interstate (Universal).

$18 a Month

Boston—American Feature Film, First Division, Franklin Prod., Hollywood Films, National Screen.

$12 a Month

Boston—Cameo Screen Attractions.
Buffalo—First Division, Hollywood Film, Standard Film Exchanges.
Chicago—Capitol Film, Griever Prod., B. N. Judell, National Screen, Security.
Cincinnati—First Division, Majestic, Monogram of Ohio.
Cleveland—First Division, Majestic, Mauley & Brown, Inc., Monogram of Ohio, Selected Pictures.
Dallas—Adams Film Exchange, Independent Film Distributors, Majestic.
Detroit—Graphic, Majestic, Monarch.
Los Angeles—All Star Features, Cooperative Film Exchanges, Far West.
Philadelphia—Capitol, First Division, Gold Medal, Hollywood, Majestic, Masterpiece, Preferred.
Pittsburgh—First Division, Majestic of Western Penn, Monarch, Monogram, Pinkney Film Service.
St. Louis—Majestic, Premier, Progressive.
San Francisco—Cooperative, International, Majestic.
Washington—Interstate Film (Universal).

$6 a Month

Albany—First Division Exchanges, Standard Film Exchanges.
Atlanta—Affiliated Prod., Inc., Arthur C. Bromberg Attractions, National Screen, Savini Films.
Boston—Hub Film Exchange, N. E. Film Exchange.
Buffalo—East Films.
Charlotte—Affiliated Prod., Inc., Arthur C. Bromberg Attractions, Amity Pictures.
Dallas—National Screen.
Denver—Distinctive Screen Attractions, Harry Marcus, Sheffield Film Exchanges.
Indianapolis—Big Feature Rights Corp., B. N. Judell, Security Pictures.
Kansas City—Associated Film Distributors, Majestic and Security Pictures, Midwest Film Distributors, Inc.
Little Rock—Home State Film.
Los Angeles—National Screen.
Louisville—Big Feature Rights.
Milwaukee—Advance Film, Celebrated Players, B. N. Judell, Midwest Film, Security Pictures.
Minneapolis—Capitol Film, Celebrated Film Exchanges, Elliott Film, Ideal Pictures, Majestic Pictures, Monogram of Minnesota, National Screen.
New Orleans—Affiliated Prod. Inc., Arthur C. Bromberg Attractions.
Oklahoma City—Majestic, Monogram, Square Deal.
Omaha—Capitol, Midwest, Security.
Philadelphia—Oscar Neufeld, Peerless.
Portland—Star Film, Sheffield.
St. Louis—B. N. Judell.
Salt Lake City—Consolidated, Majestic, Sheffield.
San Antonio—Aztecs Film.
Seatle—National Screen, Majestic, National Film Exchange, Sheffield.
Washington—First Division, Liberty, Majestic, referred, Trio Prod.

W. Ray Johnston Aided In Preparing Schedule

W. Ray Johnston of Monogram served as advisor to the Campi finance committee in preparing the schedules of assessments for independent companies. Assessments are based on the amount of film produced by each company, and, in the case of exchanges, on the amount of film sold.

Grievance Appeals Before Campi Group

Three appeals from the New York grievance board and one from the Buffalo board were heard yesterday by a Campi appeal committee, of which Nathan Yamins was chairman and John D. Clark and Julius Charnow members.

Appeals heard were an overbuying case against the Lane and two reduced admission cases against the Marvin and Empire, Brooklyn, all appealed from the local grievance board, and a case involving non-fulfillment of contract brought against the First Division exchange at Buffalo by the Rialto.

Allied of Wisconsin Predicts Code Suits

MILWAUKEE, July 25.—Members of the clearance and zoning and grievance boards have received letters from R. A. Tesch, attorney for Allied of Wisconsin, in which he says suit will be filed against them in the event any Allied member is injured by a board decision.

The letters have been referred to Campi.

The grievance board has dismissed the Shorewood Theatre Co.'s premature advertising complaint against the Saxe Amusement Management Co.'s Garfield. The complainant failed to appear and the board decided the two houses were not in the same zones.

Clearance Protests Are Heard in Cincy

CINCINNATI, July 25.—Oral and written protests .from exhibitors in the Cincinnati, Dayton and Columbus territories against the present clearance schedule were heard at a two-day meeting of the local clearance and zoning board which ended last night.

A new schedule was drafted, and will be ready for release on or about August 1.

S. A. Moross, from Secretary Flinn's office in New York, attended.

Files in Bankruptcy

PARIS, July 25.—To facilitate refinancing, the Gaumont Franco Film Aubert Corp., which controls 40 theatres in France, today filed a voluntary petition in bankruptcy.

More Salary Moves Hinted By Rosenblatt

(Continued from page 1)

confer with grievance boards on problems that have arisen in various cities, including San Francisco and Salt Lake City.

Commenting on the Denver exhibitors' demand for local home rule brought on as a result of a decision on a giveaway by the grievance board, Rosenblatt said that exhibitors themselves had demanded inclusion of the rebate clause in the code and that if they wanted it out all they had to do was to ask for it.

Between Kansas City and this town Rosenblatt conferred with U. S. Attorney General Homer S. Cummings, who boarded the train at Kansas City. He would not divulge the subject of the conference.

Australian Quotas Favored in Report

SYDNEY, Australia, July 25.—Imposition of a quota for the purpose of fostering production in New South Wales and a refusal to limit theatre building feature a report by Commissioner Marks on the government inquiry into the industry.

Before proceeding with the quota, the report suggests, agreements should be reached with other Australian governments, so that any action taken may be uniform. Percentages for distributors suggested are: First year, five per cent; second year, seven and one-half; third, 10; fourth, 12½; fifth, 15. Exhibitors' percentages suggested are: First year, four; second, five; third, seven and one-half; fourth, 10; fifth, 12½.

The proposal to limit theatre building was turned down on the ground that it would lead to similar requests from other industries and that new building was a "risk of loss from competition" common to business generally.

Fourth Exhibitor in Nebraska Trust Suit

OMAHA, July 25.—Subpoenas from another plaintiff filing suit against 13 distributing companies and the Omaha Film Board of Trade are expected shortly. The additional plaintiff is Clarence J. Kremer, exhibitor at Stanton, Neb., who filed his suit Tuesday in Federal court in Lincoln. He is asking $61,500 damages and makes the same charges contained in petitions filed by G. G. Griffin, Plattsmouth; Eric Wesselman, Pierce, and C. N. Robinson of Blair, all Nebraska towns, two days earlier.

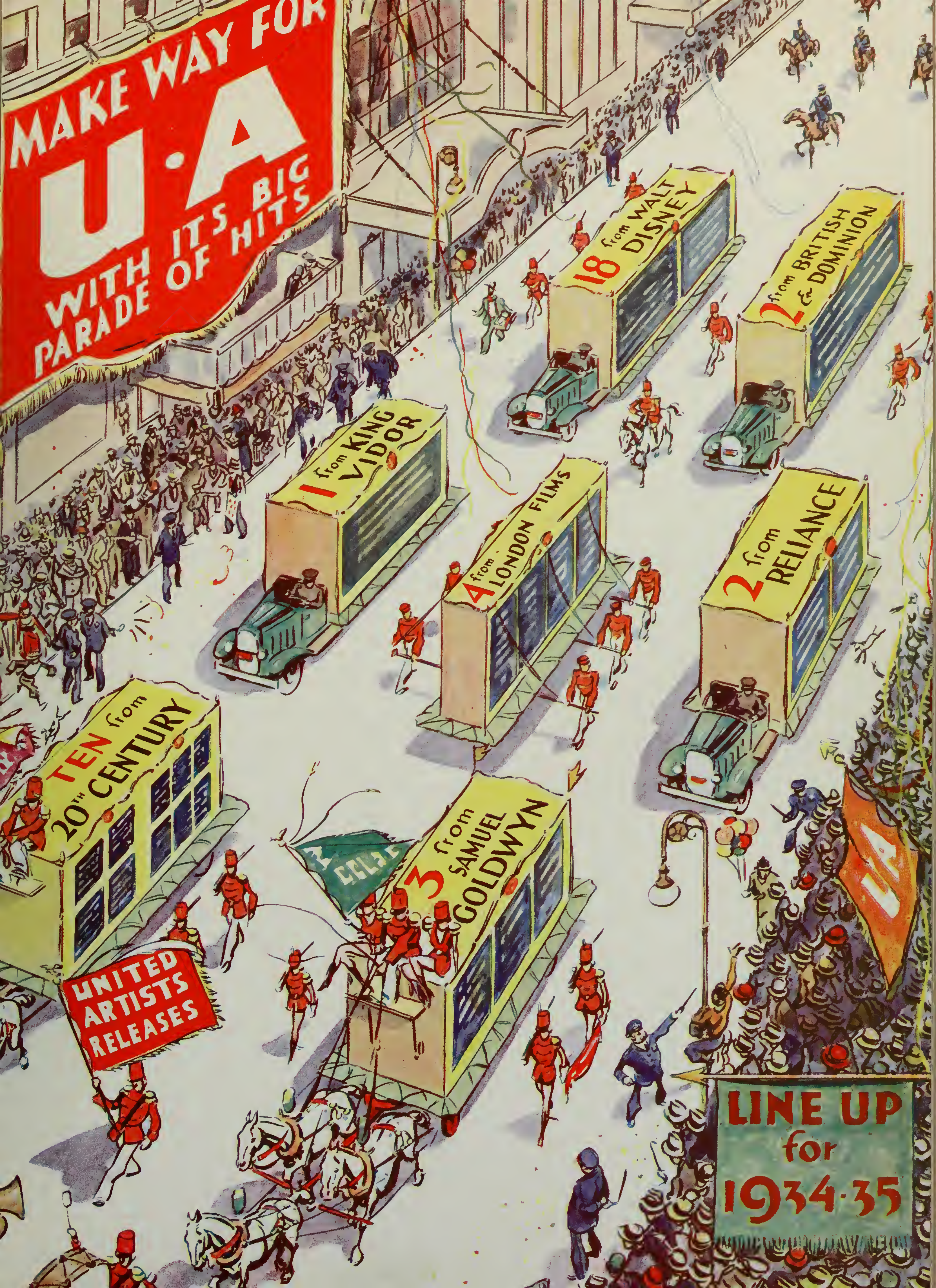
The latter three asked a total of $156,000 damages, making a total of $217,500 with Kremer's suit.

Flash Reviews

Oro y Plata (Gold and Silver)—A creditable piece of work. . . .

Now and Forever— . . . wide audience appeal seems assured. . . .

These films will be reviewed in full in a later issue of MOTION PICTURE DAILY.


MAKE WAY FOR
U·A
WITH ITS BIG PARADE OF HITS
18 from WALT DISNEY
2 from BRITISH & DOMINION
1 from KING VIDOR
4 from LONDON FILMS
2 from RELIANCE
TEN from 20th CENTURY
3 from SAMUEL GOLDWYN
UNITED ARTISTS RELEASES
U·A
LINE UP for 1934-35

"Will play an even merrier tune at the box-office than the first 'Bulldog Drummond'!" — HOLLYWOOD REPORTER

RONALD COLMAN in

"BULLDOG DRUMMOND STRIKES BACK"

with LORETTA YOUNG • WARNER OLAND
CHARLES BUTTERWORTH UNA MERKEL
Directed by ROY DEL RUTH

"The best picture 20th Century has turned out!" — Los Angeles Daily News

Constance BENNETT Fredric MARCH in

"The Affairs of CELLINI"

with FRANK MORGAN • FAY WRAY
Directed by Gregory La Cava from the Broadway play, "The Firebrand," by Edwin Justus Mayer

"Answers the exhibitor's demand for family entertainment!" — ASSOCIATED PUBLICATIONS

GEORGE ARLISS in

"THE LAST GENTLEMAN"

with EDNA MAY OLIVER • JANET BEECHER
CHARLOTTE HENRY RALPH MORGAN
Directed by Sidney Lanfield

A mighty story! A mighty cast!
A mighty title!

"THE MIGHTY BARNUM"

with

Wallace BEERY Fredric MARCH

written by Gene Fowler

20

RONALD COLMAN
in the story of the bravest man who ever lived!
"CLIVE OF INDIA"
the picturization of the play now in its 9th capacity month in London!

Teamed for box-office results!
CLARK GABLE CONSTANCE BENNETT
in
"IT HAD TO HAPPEN"

Intriguing title! Astounding story!
"THE RED CAT"
The European stage sensation by Rudolph Lothar and Hans Adler! Opening on Broadway this fall!

Just as George Arliss in "The House of Rothschild" is the best picture of 1934
GEORGE ARLISS in
"CARDINAL RICHELIEU"
will be the best picture of 1935!

Forward! America! Forward!
"Forward March!"
The epic of America! Glorified by the biggest cast in screen history

Leaping to life from the blazing pages of the book the whole world knows!
JACK LONDON'S "Call of the Wild"
with a cast as big as the story!

UNITED ARTISTS

DARRYL·F· ZANUCK ·PRODUCTIONS·

3 from SAMUEL GOLDWYN

THE GREATEST INDIVIDUAL PRODUCER IN THE INDUSTRY

ANNA STEN • FREDRIC MARCH
in *"We Live Again"*
based on Tolstoy's immortal "RESURRECTION"
Directed by Rouben Mamoulian

EDDIE Cantor in
"KID MILLIONS"
with
ETHEL MERMAN • ANN SOTHERN • BLOCK and SULLY
PAUL KELLY and the GORGEOUS GOLDWYN GIRLS
Directed by ROY DEL RUTH

and **ANNA STEN** in an additional SAMUEL GOLDWYN production...
A sweeping story of modern Russia by Vicki Baum (author of "Grand Hotel") and Eugene Lyons!

'They gave us HENRY VIII!'
'and Catherine the Great!'
RELEASED THRU U·A·

A from LONDON FILMS

produced by ALEXANDER KORDA

DOUGLAS FAIRBANKS

in

"The Private Life of

DON JUAN"

with the beautiful leading ladies of "Henry VIII"

MERLE OBERON BENITA HUME
JOAN GARDNER BINNIE BARNES
NATACHA PALEY ATHENE SEYLER

Directed by
ALEXANDER KORDA
written by
Frederick Lonsdale and Lajos Biro

In the shadow of the guillotine he saved men... for the nation... and women for himself!

LESLIE HOWARD
MERLE OBERON

in

"The Scarlet Pimpernel"

(New Title To Come)

Directed by Rowland Brown

What is the world coming to? One man has the daring to predict! One man has the daring to produce

H. G. WELLS'

"100 YEARS FROM NOW"

Directed by LEWIS MILESTONE

Through death-filled jungles to capture one man . . . alive!

"CONGO RAID"

Based on Edgar Wallace's best-selling thriller . . . "Sanders of the River"
Directed by ZOLTAN KORDA

2 from RELIANCE

who gave you I COVER THE WATER FRONT and PALOOKA

"The Count of MONTE CRISTO"

with

ROBERT DONAT • ELISSA LANDI

O. P. Heggie • Louis Calhern

Sidney Blackmer • Irene Hervey

William Farnum • Raymond Walburn

Directed by ROWLAND V. LEE

Alexander Dumas' unforgettable classic! Gorgeously produced on a lavish scale!

Titanic in scope! A leviathan of entertainment!

"TRANSATLANTIC MERRY-GO-ROUND"

with

JACK BENNY • NANCY CARROLL

GENE RAYMOND • SIDNEY BLACKMER

SID SILVERS • SYDNEY HOWARD

PATSY KELLY • JEAN SARGENT

FRANK PARKER • Directed by Ben Stoloff

EDWARD SMALL PRODUCTIONS

1 from KING VIDOR

. who gave you "THE BIG PARADE" "THE CHAMP" "STREET SCENE".

"OUR DAILY BREAD"

the epic of a million hearts!

"A stirring picture! A privilege to show it!" — HOLLYWOOD REPORTER

2 from BRITISH & DOMINION

The world-famous story of a lowly girl who won...and held...a king!

Anna Neagle

Newest of stars

"NELL GWYN"

with SIR CEDRIC HARDWICKE

Lavishly produced in epic style!

Directed by HERBERT WILCOX

Released thru UNITED ARTISTS

EXTRA

ANOTHER FROM B and D

Anna NEAGLE in The QUEEN'S AFFAI

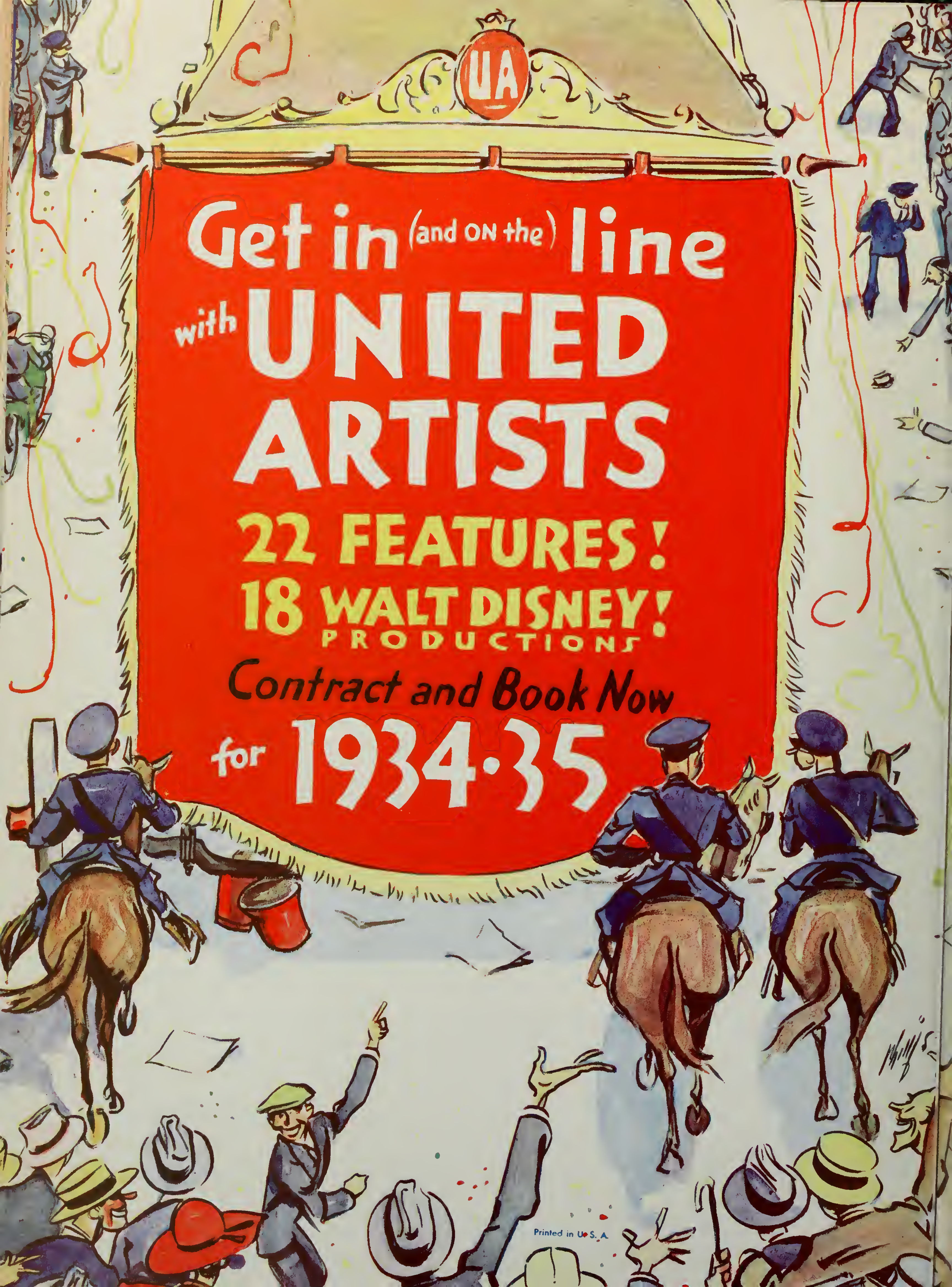
18 from WALT DISNEY

9 MICKEY MOUSE PRODUCTIONS
all in Techni-COLOR for the first time!

9 SILLY SYMPHONIES
as TECHNICOLORFUL as ever!

Released thru UNITED ARTISTS

D
HUE said it!
and GREEN and BLUE and YELLOW
Oh Boy! will our faces be RED



Get in (and ON the) line with UNITED ARTISTS

22 FEATURES!

18 WALT DISNEY! PRODUCTIONS

Contract and Book Now for 1934-35

Printed in U.S.A.

"Marker" Has Strong Return In Washington

WASHINGTON, July 25.—"Little Miss Marker" demonstrated its continued drawing powers last week on a return engagement at the Columbia. The $4,200 take was $1,100 over par.

"Of Human Bondage" continued strong in its second week. It opened July 18 and took $12,100 for the first seven days. On its nine-day run it grabbed a total of $14,800. Arthur Reilly, *Washington Herald* globetrotter, was on the stage.

"The Thin Man" was the first film to go three weeks at Loew's Palace. It fell off to $4,300. Average is $14,500.

A combination of "Stamboul Quest" and Vincent Lopez and his orchestra took $18,300 at Loew's Fox, but this was $2,200 below normal.

Total first run business was $57,700. Average is $71,200.

Estimated takings, exclusive of tax:

Week Ending July 19:

"FOG OVER FRISCO" (F.N.)
EARLE—(2,218), 25c-77c, 7 days. Stage show. **Gross:** 15,600. (Average, $17,600)

"LITTLE MISS MARKER" (Para.)
LOEW'S COLUMBIA—(1,265), 25c-40c, 7 days (return engagement). **Gross:** $4,200. (Average, $3,100)

"STAMBOUL QUEST" (M-G-M)
LOEW'S FOX—(3,434), 25c-66c, 7 days. Stage show. **Gross:** $18,300. (Average, $20,500)

"THE THIN MAN" (M-G-M)
LOEW'S PALACE—(2,390), 35c-77c, 7 days, third week. **Gross:** $4,300. (Average, $14,500)

"THE MERRY FRINKS" (Warners)
METROPOLITAN—(1,591), 25c-40c, 7 days. **Gross:** $3,200. (Average, $4,100)

Week Ending July 17:

"OF HUMAN BONDAGE" (Radio)
RKO-KEITHS—(1,830), 25c-55c, 7 days. Arthur Reilly on stage. **Gross:** $12,100. (Average, $11,400)

Oklahoma Is Dull; "Stamboul" $3,100

OKLAHOMA CITY, July 25.—Hot weather continues to keep grosses down here. "Stamboul Quest" went over par by $600 on a $3,100 take at the Capitol.

The Liberty, splitting the week between "Personality Kid" and "Heart Song," took $1,500 on the former in four days and $500 on the latter in three days.

Total first run business was $12,300. Average is $13,500.

Estimated takings for the week ending July 21:

"WILD CARGO" (Radio)
CRITERION—(1,700), 10c-20c-36c-41c-56c, 7 days. **Gross:** $4,200. (Average, $5,000).

"CHARLIE CHAN'S COURAGE" (Fox)
MIDWEST—(1,500), 10c-26c-36c-56c, 7 days. **Gross:** $3,000. (Average, $4,000)

"STAMBOUL QUEST" (M-G-M)
CAPITOL—(1,200), 10c-20c-26c-36c-41c, 7 days. **Gross:** $3,100. (Average, $2,500)

"PERSONALITY KID" (Warners)
LIBERTY—(1,500), 10c-15c-26c-36c, 4 days. **Gross:** $1,500. (Average week, $2,000)

"HEART SONG" (Fox)
LIBERTY—(1,500), 10c-15c-26c-36c, 3 days. **Gross:** $500. (Average week, $2,000)

Shea's Court to Reopen

BUFFALO, July 25.—Shea's Court St. Theatre, once an ace vaudeville house, will be reopened about the middle of August as a first run double feature spot. The house has been dark most of the time since the Shea Theatres Corp. ceased operating it in January, 1933.

"Lang," Plus Stage Show, L.A. Topper at $21,670

LOS ANGELES, July 25.—With a combination of "The Notorious Sophie Lang" and a stage show called "The Drunkard," the Paramount took big money here last week, $21,670, This is $3,670 over par.

One of the first heat waves of the season hit this section, but takes generally did not fall off sharply, although all the others were below average.

Total first run business was $65,451. Average is $71,850.

Estimated takings for the week ending July 18:

"MARIONETTES" (Russian)
FILMARTE — (900), 40c-50c, 7 days. **Gross:** $600. (Average, $2,650)

"Operator 13" (MGM) 2nd week, 2 days
"THE THIN MAN" (MGM) 5 days
LOEW'S STATE—(2,413), 30c-55c, 7 days. **Gross:** $13,781. (Average, $14,000)

"THE NOTORIOUS SOPHIE LANG" (Para.)
PARAMOUNT—(3,595), 30c-55c, 7 days. Stage: "The Drunkard." **Gross:** $21,670. (Average, $18,000)

"THE LIFE OF VERGIE WINTERS" (Radio)
RKO—(2,700), 25c-40c, 2nd week, 7 days. **Gross:** $5,700 (Average, $8,000)

"THE PERSONALITY KID" (Warners)
WARNER BROS. (HOLLYWOOD)—(3,000), 25c-55c, 7 days. **Gross:** $11,000. (Average, $14,000)

"THE PERSONALITY KID" (Warners)
WARNER BROS. (DOWNTOWN)—(3,400), 25c-55c, 7 days. **Gross:** $10,000. (Average, $12,000)

"BORN TO BE BAD" (U. A.)
"I GIVE MY LOVE" (Univ.)
PANTAGES—(3,000), 25c-40c, 7 days. **Gross:** $2,700. (Average, $3,200)

"Canary" Only Good Draw in Philadelphia

PHILADELPHIA, July 25.—The Fox, which has been holding up well in the last few disastrous weeks, had another good six-day period with "Grand Canary." The $14,000 figure represented the only above-average gross.

Weather break was a little better with a few cool evenings.

Estimated takings for the week ending July 19:

"OPERATOR 13" (M-G-M) (2nd run)
ARCADIA—(600), 25c-40c-50c, 6 days. **Gross:** 1,700. (Average, $2,400)

"COCKEYED CAVALIERS" (Radio)
EARLE—(2,000), 40c-55c-65c, 6 days. Stage: Russian Revels, Leavitt and Lockwood, Belett and Lamb, Frankie Richardson. **Gross:** $11,000. (Average, $12,000)

"GRAND CANARY" (Fox)
FOX—(3,000), 30c-40c-60c, 6 days. Stage: Paul Gerrits; DeMay, Moore and Martin; Melissa Mason; Annette Ames. **Gross:** $14,000. (Average, $12,000)

"I GIVE MY LOVE" (Univ.)
KARLTON—(1,000), 30c-40c-50c, 6 days. **Gross:** $2,300. (Average, $3,500))

"STAMBOUL QUEST" (M-G-M)
STANLEY—(3,700), 40c-55c-65c, 6 days. **Gross:** $8,500. (Average, $12,000)

"MIDNIGHT ALIBI" (Warners)
STANTON—(1,700), 30c-40c-55c, 6 days: **Gross:** $5,800. (Average, $7,000)

"Sailor," Show, Best In Detroit—$20,900

DETROIT, July 25.—"She Learned About Sailors" and a stage show sent the Fox up to $20,900, a remarkable gross in view of the heat wave here, as it topped par by $5,900.

Total first run business was $53,300. Average is $55,000.

Estimated takings for the week ending July 19:

"THE KEY" (Warners)
FISHER—(2,975), 15c-50c, 7 days. **Gross:** $5,800. (Average, $10,000.)

"SHE LEARNED ABOUT SAILORS" (Fox)
FOX—(5,100), 15c-50c, 7 days. Stage: Billy House heading six-act bill. **Gross:** $20,900. (Average, $15,000).

"STAMBOUL QUEST" (M-G-M)
MICHIGAN—(4,100), 15c-50c, 7 days. Stage: Tito Guizar heading all star bill. **Gross:** $20,200. (Average, $20,000.)

"KISS AND MAKE UP" (Para.)
UNITED ARTISTS—(2,070), 25c-50c, 7 days. **Gross:** $6,400. (Average, $10,000.)

"Thin Man" Is Seattle Hit; Pulls $8,700

SEATTLE, July 25.—"The Thin Man" went into the big money, over par by $1,700, with a take of $8,700 at the Fifth Avenue.

Another strong draw was "We're Rich Again," helped out by Ted Fio-Rito and his band on the stage.

Total first run business was $30,800. Average is $31,000.

Estimated takings for the week ending July 16:

"LET'S TRY AGAIN" (Radio)
"WOMAN'S MAN" (Monogram)
BLUE MOUSE—(950), 15c-25c-35c, 7 days. **Gross:** $3,000. (Average, $3,500).

"THE THIN MAN" (MGM)
FIFTH AVENUE—(2,450), 25c-40c-55c, 7 days. **Gross:** $8,700. (Average, $7,000)

"FOG" (Col.)
"FIGHTING RANGER" (Col.)
LIBERTY—(1,800), 10c-15c-25c, 7 days. **Gross:** $3,200. (Average, $4,000).

"LIFE OF VERGIE WINTERS" (Radio)
MUSIC BOX—(950), 25c-40c-55c, 7 days. (Extended run from Music Hall). **Gross:** $3,300. (Average, $4,000)

"WE'RE RICH AGAIN" (Radio)
MUSIC HALL—(2,275), 25o-40c-55c, 7 days. Ted Fio-Rito and Band on stage. **Gross:** $7,800. (Average, $6,500)

"REAR CAR MYSTERY" (MGM)
PARAMOUNT—(3,050), 25c-35c, 7 days. Vaudeville headed by Milton Douglas & Co. **Gross:** $4,800. (Average, $6,000)

More Variety Tents Planned for Autumn

PITTSBURGH, July 25.—After a closed period of four months, Variety Club plans to spread its tents into new territory. Nine new charters were granted in the last year and the limit set in its impending expansion has been fixed at 10. John H. Harris, national president, chief barker, reports requests for membership are on tap from Chicago, Philadelphia, Montreal, Boston, New Haven and Denver.

"The national officers," says Harris, "are of the opinion that it is a decided advantage to slowly admit clubs so that each tent will be a sound organization. Early in September a meeting of the national officers will be held in Cincinnati for a decision as to club activities for this year. The meeting is tentatively scheduled for the third Sunday in September."

"Alibi," Baer Get $28,000 In Hub Slump

BOSTON, July 25.—Hot weather and the vacation season hit grosses here a terrific wallop. Only one first run, the Metropolitan, playing "Midnight Alibi" and a stage show headed by Max Baer, reached par, $28,000.

"Of Human Bondage" took $14,000 at Keith's, but this was $2,000 under normal.

Total first run business was $82,000. Average is $94,000.

Estimated takings for the week ending July 19:

"AFFAIRS OF A GENTLEMAN" (Univ.)
"WE'RE RICH AGAIN" (Radio)
BOSTON—(2,900), 25c-50c, 7 days. **Gross:** $12,000. (Average, $16,000.)

"THE KEY" (Warners)
"OLD FASHIONED WAY" (Para.)
FENWAY—(1,800), 30c-50c, 7 days. **Gross:** $7,000. (Average, $9,000.)

"OF HUMAN BONDAGE" (Radio)
KEITH'S—(3,500), 30c-50c, 7 days. **Gross:** $14,000. (Average, $16,000.)

"BULLDOG DRUMMOND STRIKES BACK" (U. A.)
LOEW'S STATE—(3,700), 35c-50c, 7 days. **Gross:** $13,000. (Average, $16,000.)

"MIDNIGHT ALIBI" (F. N.)
METROPOLITAN—(4,350), 30c-65c, 7 days. Max Baer in person. **Gross:** $28,000. (Average, $28,000.)

"THE KEY" (Warners)
"OLD FASHIONED WAY" (Para.)
PARAMOUNT—(1,800), 30c-50c, 7 days. **Gross:** $8,000. (Average, $9,000.)

Pittsburgh Muddy; "Clown" Leads City

PITTSBURGH, July 25.—Although Pittsburgh is down to three first runs, business hasn't yet shown the expected pickup.

Top money last week went to "The Circus Clown" at the Stanley. It did $11,000. The Penn took it on the chin with "Kiss and Make Up," gathering barely $6,500, while the Warner pushed a bit above par with "Here Comes the Groom" and "Whirlpool" at $5,300.

A fourth first run downtown will show up in another few weeks when the Alvin gets started under the management of the Harris Amusement Co. August 15 is now the tentative opening date.

Total first run grosses were $22,800. Average is $26,000.

Estimated takings for the week ending July 21:

"KISS AND MAKE UP" (Para.)
PENN—(3,300), 25c-50c, 6 days. **Gross:** $6,500. (Average, $12,000)

"THE CIRCUS CLOWN" (Warners)
STANLEY—(3,600), 25c-50c, 6 days. **Gross:** $11,000. (Average, $9,000)

"HERE COMES THE GROOM" (Para)
"WHIRLPOOL" (Col.)
WARNER—(2,000), 25c-40c, 6 days. **Gross:** $5,300. (Average, $5,000)

Will Instruct Writers

HOLLYWOOD, July 25.—As a means of enlightening writers on the technical side of picture making the Writers' Guild plans a series of open meetings at the Writers' Club at which leaders of each branch will be invited to explain problems. It is expected this will be helpful especially to new writers coming from the East.

"Baby" Gets $20,250 for Fourth Week

"Baby Take a Bow," in its third stanza at the Roxy, was among the top notchers in a week of sagging Broadway grosses. The take was $20,250, good enough to keep it going for a fourth week.

This figure was pretty close to the first week of "Stamboul Quest" and a stage show headed by Willie and Eugene Howard at the Capitol, which took $22,000, and not far behind the $24,500 taken by "Old Fashioned Way" and a stage show at the Paramount.

"Whom the Gods Destroy" took $62,000 at the Music Hall. "The World Moves On" had $2,600 in its fourth week at the Criterion.

Estimated takings:

Week Ending July 17:

"RETURN OF THE TERROR" (Warners)
RIALTO—(2,300), 25c-65c, 7 days. **Gross:** $12,000.

"WHOM THE GODS DESTROY" (Col.)
RADIO CITY MUSIC HALL—(5,945), 35c-$1.65, 7 days. Stage show. **Gross:** $62,000.

Week Ending July 19:

"STAMBOUL QUEST" (M-G-M)
CAPITOL—(4,700), 35c-$1.65, 7 days. Stage: Gertrude Nissen, Willie and Eugene Howard, Bill Robinson and others. Gross: $22,000.

"THE WORLD MOVES ON" (M-G-M)
CRITERION—(875), 35c-$1.65, 4th week, 7 days. **Gross:** $2,600.

"OF HUMAN BONDAGE" (Radio)
PALACE—(2,500), 25c-75c, 7 days. **Gross:** $16,200.

"OLD FASHIONED WAY" (Para.)
PARAMOUNT—(3,700), 35c-99c, 7 days. Stage: Leon Belasco and orchestra; the DeMarcos, Alan Bernie and others. **Gross:** $24,500.

"BABY TAKE A BOW" (Fox)
ROXY—(6,200), 25c-55c, 3rd week, 7 days. Stage show. **Gross:** $20,250.

"MAN WITH TWO FACES" (Warners)
STRAND—(2,000), 25c-$1.10, 7 days. **Gross:** $11,631.

Week Ending July 23:

"I GIVE MY LOVE" (Univ.)
MAYFAIR—(2,300), 35c-85c, 7 days. **Gross:** $5,000.

"Bengal," Schenck Strong in Buffalo

BUFFALO, July 25.—With Harry Schenck appearing in person with the film and lecturing, "Beyond Bengal" at $1,000 was the week's best comparative take in the reopened Hollywood. "Thirty Day Princess" and "As the Earth Turns" at $6,200 gave the Century a $200 overage. All others were below normal in a hot, dry week.

Total take was $29,400. Average is $35,500.

Estimated takings for the week ending July 20:

"MIDNIGHT ALIBI" (F.N.)
BUFFALO—(3,500), 30c-55c, 7 days. Stage: Billy Costello, Al Norman, Emily Von Losen, the Gretonas, Isabel Coffey. **Gross:** $11,500. (Average, $14,300)

"THIRTY DAY PRINCESS" (Para.)
"AS THE EARTH TURNS" (Warners)
CENTURY—(3,000), 25c, 7 days. **Gross:** $6,200. (Average, $6,000)

"BEYOND BENGAL" (Standard)
HOLLYWOOD—(300), 25c-35c, 7 days. **Gross:** $1,000. (Average, $700)

"THE KEY" (Warners)
HIPPODROME—(2,100), 25c-40c, 7 days. **Gross:** $5,100. (Average, $8,000)

"THE HELL CAT" (Col.)
"HALF A SINNER" (Univ.)
LAFAYETTE—(3,300), 25c, 7 days. **Gross:** $5,600. (Average, $6,500)

"Stamboul" Is $43,000 Wow In the Loop

CHICAGO, July 25.—The B. & K. Chicago ran away with the big business of the week, piling up $43,000 on "Stamboul Quest" with the Goldbergs on the stage. This is $9,000 over average.

The Oriental was again strong, getting $18,000 on a repeat engagement of "The House of Rothschild." The Palace turned in $18,000 on a 50-cent top policy, with "We're Rich Again" and a stage bill.

Total first run business was $112,500. Average is $137,000.

Estimated takings:

Week Ending July 14:

"OPERATOR 13" (M-G-M)
UNITED ARTISTS—(1,700), 30c-40c-60c, 4th week, 7 days. **Gross:** $9,000. (Average, $17,000)

Week Ending July 19:

"STAMBOUL QUEST" (M-G-M)
CHICAGO—(4,000), 35c-50c-68c, 7 days. The Goldbergs and others on stage. **Gross:** $43,000. (Average, $34,600)

"HOUSE OF ROTHSCHILD" (U.A.)
(Secon dRun)
ORIENTAL—(3,940), 25c-40c, 7 days. Bowery Follies with Beef Trust Girls on stage. **Gross:** $18,000. (Average, $15,000)

"WE'RE RICH AGAIN" (Radio)
PALACE—(2,509), 25c-35c-50c, 7 days. Grace Hayes, Frank & Milt Britton & band, Gardini, Vic Olliver & others on stage. **Gross:** $18,000. (Average, $22,000)

"SHOOT THE WORKS" (Para.)
(Second Loop Week)
ROOSEVELT—(1,591), 25c-35c-50c, 7 days. **Gross:** $6,500. (Average, $11,000)

Ween Ending July 20:

"SHE LEARNED ABOUT SAILORS" (Fox)
MCVICKERS—(2,284), 30c-40c-60c, 2nd week, 7 days. **Gross:** $5,000. (Average, $13,000)

Week Ending July 21:

"MURDER IN TRINIDAD" (Fox)
STATE-LAKE—(2,776), 20c-25c-35c, 7 days. Reis & Dunn, Dodge Bros., Revue, Murray & Maddox on stage. **Gross:** $13,000. (Average, $15,000).

"Bondage" $5,600 Grosser in Omaha

OMAHA, July 25.—"Of Human Bondage" gave the Brandeis its best run of the summer with $5,600 for nine days. Normal is $3,800. At the close of the run the house went back to duals.

The Paramount closed for the summer after an average week on "Old Fashioned Way," leaving the city with only three first runs downtown, all double featuring.

This territory has been in a heat wave, with one record broken at 110. It was the twelfth consecutive day over 90 and the sixth over 100.

Total first run business was $23,950. Average is $21,550.

Estimated takings:

Week Ending July 18:

"OLD FASHIONED WAY" (Para.)
PARAMOUNT—(2,900), 25c-40c, 7½ days. **Gross:** $7,250. (Average, $7,250.)

Week Ending July 19:

"OF HUMAN BONDAGE" (Radio)
BRANDEIS—(1,500), 20c-25c-35c, 9 days. **Gross:** $5,600. (Average, $3,800.)

"THE KEY" (Warners)
"SPRINGTIME FOR HENRY" (Fox)
ORPHEUM—(3,000), 25c-40c, 7 days. **Gross:** $7,100. (Average, $7,000.)

"CHARLIE CHAN'S COURAGE" (Fox)
"LAUGHING BOY" (M-G-M)
WORLD—(2,200), 25c-35c, 7 days. **Gross:** $4,000. (Average, $3,500.)

More Colonels

Cincinnati, July 25.—Maurice White, who recently resigned as Warner manager to assume presidency of Nordland, Inc., and active management of the two houses acquired by that organization, now wears the handle of colonel to his moniker, conferred by Gov. Laffoon, of Kentucky.

Donald Stanley, Warner field supervisor, also was made a colonel on the Governor's staff.

No successor to White has been named as yet.

"Bondage" Is Twin Cities Top, $11,500

MINNEAPOLIS, July 25.—In spite of the return of a truck strike, accompanied by violence, and hot sticky weather, "Of Human Bondage" was a big draw here and in St. Paul. It reached $6,500, up by $1,000, at the RKO Orpheum, and it had the same overage at $5,000 at the RKO Orpheum in St. Paul.

"Operator 13" was $500 over par on each side of the river. It took $6,000 at the State here and the same amount at the Paramount in St. Paul. Other houses, with the exception of the World here, which had "Soviets on Parade," reached par.

Total first run business in Minneapolis was $19,500. Average is $18,500. St. Paul's four first runs took $16,000. Average is $14,000.

Estimated takings:

Minneapolis:

Week Ending July 19:

"SHOOT THE WORKS" (Para.)
CENTURY—(1,650), 25c-40c, 7 days. **Gross:** $4,000. (Average, $4,000)

"HERE COMES THE GROOM" (Para.)
LYRIC—(1,238), 20c-25c, 7 days. **Gross:** $1,500. (Average, $1,500)

Week Ending July 20:

"OF HUMAN BONDAGE" (Radio)
RKO ORPHEUM—(2,900), 25c-50c, 7 days. **Gross:** $6,500. (Average, $5,500)

"OPERATOR 13" (MGM)
STATE—(2,300), 25c-40c, 7 days. **Gross:** $6,000. (Average, $5500)

"SOVIETS ON PARADE" (Foreign)
WORLD—(400) 25c-75c, 7 days. **Gross:** $1,500. (Average, $2,000)

St. Paul:

Week Ending July 20:

"OPERATOR 13" (MGM)
PARAMOUNT—(2,300), 25c-40c, 7 days. **Gross:** $6,000. (Average, $5,500)

"SHOOT THE WORKS" (Para.)
RIVIERA—(1,200), 25c-40c, 7 days. **Gross:** $3,500. (Average, $3,500)

"OF HUMAN BONDAGE" (Radio)
RKO ORPHEUM—(2,000), 20c-40c, 7 days. **Gross:** $5,000. (Average, $4,000)

"NOW I'LL TELL" (Fox)
TOWER—(1,000), 15c-25c, 7 days. **Gross:** $1,500. (Average, $1,500)

La. Ads to Be Taxed

NEW ORLEANS, July 25.—Gov. O. K. Allen has signed the bill placing a two per cent tax on all film advertising in the state of Louisiana. This bill will not affect key theatres in this city, but will bear heavily on many of the suburban houses as well as those throughout the state. Just how much will be derived is problematical.

Kansas City Tips $12,200 To "Bulldog"

KANSAS CITY, July 25.—"Bulldog Drummond Strikes Back" was the only outstanding film draw, upping the Midland's take to $12,200, above par by $2,200. The Tower, with the only stage show in town, got a big play from visiting Elks attending their national convention and nabbed $7,100, topping the house record since opening several months ago. The screen attraction was "Black Moon."

"Of Human Bondage," on a dual bill with "Strictly Dynamite" at the Mainstreet, was off at $6,500 for nine days. "Dr. Monica" and "The Great Flirtation," the Newman's dual, failed to reach par. "Charlie Chan's Courage" likewise was off at the Uptown.

Total first run business was $33,400. Average is $32,500.

Estimated takings:

Week Ending July 19:

"OF HUMAN BONDAGE" (Radio)
"STRICTLY DYNAMITE" (Radio)
MAINSTREET—(3,100), 25c, 9 days, plus Saturday late show. **Gross:** $6,500. Average, 9 days, $8,000.

"BULLDOG DRUMMOND STRIKES BACK" (U. A.)
MIDLAND—(4,000), 25c, 7 days, plus Saturday midnight show. **Gross:** $12,200. (Average, $10,000.)

"DR. MONICA" (Warners)
"THE GREAT FLIRTATION" (Para.)
NEWMAN—(1,800), 25c, 7 days, plus Saturday late show. **Gross:** $5,300. (Average, $5,500.)

"BLACK MOON" (Col.)
TOWER—(2,200), 25c, 7 days, plus Saturday midnight show. Stage: "Suntan Scandals" revue with Freddie Stritt & Co., Willock & Carson, Helen Arden, Jerry Coe, Lester Harding. **Gross:** $7,100. (Average, $5,500.)

Week Ending July 20:

CHARLIE CHAN'S COURAGE (Fox)
UPTOWN—(2,000), 25c 7 days. **Gross:** $2,300. (Average, $3,500.)

Indianapolis Tips 'Drummond' $4,500

INDIANAPOLIS, July 25.—Business was nothing to get excited about last week. Best comparative showing was made by "Bulldog Drummond Strikes Back," with $4,500 at the Palace.

"Circus Clown" took $5,500 at the Lyric. "Kiss and Make Up" and "Midnight Alibi" were average.

Total first run business was $16,000. Average is $10,000 without the Lyric.

Estimated takings for the week ending July 21:

"KISS AND MAKE UP" (Para.)
APOLLO—(1,100), 20c-40c, 7 days. **Gross:** $2,500. (Average, $2,500)

"MIDNIGHT ALIBI" (Warners)
CIRCLE—(2,800), 20c-40c, 7 days. **Gross:** $3,500. (Average, $3,500)

"CIRCUS CLOWN" (Warners)
LYRIC—(2,000), 20c-40c, 7 days. **Gross:** $5,500.

"BULL DOG DRUMMOND STRIKES BACK" (U.A.)
PALACE—(3,000), 25c-40c, 7 days. **Gross:** $4,500. (Average, $4,000)

Borrow Beery, Gable

HOLLYWOOD, July 25.—20th Century has borrowed Wallace Beery and Clark Gable from M-G-M for Jack London's "Call of the Wild," for which Hal Roach owned the silent rights. The talker rights were secured recently from the London estate.

TIME MARCHES ON

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Giannini Will Insist Upon O.K.'d Stories

(Continued from page 1)

expected to be box-office smashes have been held up pending Breen's approval, Giannini said.

He expressed the opinion that the current cleanup movement is no flash in the pan and that it will be permanent, with permanent effects on production policies.

"After all the public is the final arbiter and producers must give it clean pictures if they are demanded," Giannini continued.

Under the new policies, he said, future pictures will not glorify or condone crime, wrongdoing, or breaches of morality, but will show these punished, and pictures will contain moral lessons. The protest is timely and will prove the salvation of the industry, he declared, because it was headed for the fate which overtook the legitimate theatre, which was wrecked when the public stopped supporting indecent drama. Producers, realizing this, he said, are willing to make changes in policies and writers likewise will have to adopt new tactics.

Effects of the campaign will be to correct and amend, he said, and hence there will be many benefits accruing to the industry.

Dr. Giannini, with Mrs. Giannini, is headed for a three-months European trip. He will study British production with a view to getting information for comparison with American methods. He is chairman of the executive committee of the Bank of America, N. A., and prominent in film financing in Hollywood.

ITOA Delays Move On Film Campaign

(Continued from page 1)

paign when the Legion of Decency drive attains its full strength here next fall, it was decided yesterday at a meeting of the local independent organization at the M. P. Club.

By inference, the meeting gave the impression that the drive to date has had no serious effect on box-office receipts.

Acquisition of the Fox Metropolitan circuit by Loew's and Warners, as indicated in the progress of negotiations between the two companies and the bondholders' committee of the circuit, came in for lively discussion and much apprehension at the I. T. O. A. meeting, although no action was voted on the subject. Members foresee, in the event of acquisition of the Fox Met houses by Loew's and Warners a sweeping relignment of first runs in the Loew's holdings which would subject present availability schedules to numerous setbacks throughout the affected areas.

Broder-McConnell Debate Film Drive

In furthering the campaign being waged by the Association for the Preservation of the Freedom of Stage and Screen against the inter-faith committee and other similar organizations, I. Robert Broder, founder and president of the association, debated with Bishop Francis J. McConnell last night over radio station WEVD. The subject was "The Wave of Movie Censorship."

Percentage Selling At Peak, Says Ross

(Continued from page 1)

Ross Checking Service, is holding a two-day meeting of Middle Western branch managers at the Knickerbocker Hotel.

Reports from 3,000 representatives indicate every reason for optimism over business conditions, Ross says. The upturn has been marked in the past two weeks, he asserts.

Attending from the home office are: Ross, Frank Miske, auditor; D. A. Ross, director of branch operations; W. E. McKee, sales manager; C. B. Ross, production manager, and O. M. Young. Branch managers present are: H. W. Donaldson and V. Richardson, Detroit; J. E. North, St. Louis; Burt Harrington, W. I. Brown and W. G. Caldwell, Chicago; R. W. Thayer, Cincinnati; B. E. Jolley, Indianapolis; P. A. Laroche, Kansas City; H. Schiffren, Des Moines; Charles Warger, Milwaukee; D. W. Mills, St. Louis; H. O. Gleiss, Omaha, and Ray Ollinger, Washington.

Loew's and Warners Disregard Petition

(Continued from page 1)

the new bankruptcy laws which was filed by dissenting bondholders of the circuit late last week, a spokesman said yesterday.

The bidders for the circuit, Loew's and Warners, believe that bondholders would realize less under a reorganization than they will from the $4,000,000 offer to be tendered the Fox Met bondholders' committee, which represents more than 85 per cent of the bonds outstanding. If such proves to be the case, they say, the Federal court would deny the minority holders' petition for reorganization.

Meanwhile, the bidders' negotiations with the bondholders' committee are proceeding almost daily and a final agreement is expected in advance of the next scheduled court hearing, Aug. 6.

Allied Owners Goes Into Para. Affairs

Allied Owners, one of the principal Paramount Publix creditors, was granted the right to intervene in reorganization proceedings of Paramount by Federal Judge Alfred C. Coxe yesterday. A similar right to intervene sought by three creditor banks was opposed by attorneys for the Paramount trustees, who have suits pending against the banks which seek to have the banks adjudged ordinary rather than preferred creditors.

Special Master John E. Joyce is scheduled to hear an agreement involving claims against the Third & Broadway Bldg. Corp., Los Angeles, a Paramount subsidiary, today.

Billy Montgomery Dead

William (Billy) Montgomery, former vaudeville star with the team of Montgomery and Moore, was found Tuesday in a vacant lot in Paterson, N. J. Death was attributed to alcoholism.

L. A. Board Hears Demand for Singles

(Continued from page 1)

Chadwick's protest that the local board had no jurisdiction setting up a double feature clause in the new clearance schedule. Among those in the audience were 250 representatives of major and independent producers, distributors and exhibitors.

The only one to testify for Chadwick in behalf of duals was Sam Bercowicz, representing the Farwest Exchanges.

All other testimony was in favor of singles. It pointed to the fact that there would be great loss of employment and profits for the entire industry should duals be continued, whereas the loss suffered by the handful of independent producers fighting for the continuance of twins would be negligible in comparison.

Those who testified included Ben Shipman, representing Hal Roach; Milton Arthur, Perk Swope, Dave Bershon, Jennie Dodge, R. D. Whitson, Simon Lazarus, George Bromley, Jake Milstein, all independent exhibitors; Lou Halper, Warners; Cliff Work, RKO; Jack Gross, RKO Hillstreet manager, and Henry Ginsberg. Representatives of the University M. P. Council, New England Women's Clubs, D.A.R., Jewish Women's Council, Federated Women's Clubs and the California P.T.A. also spoke against duals.

Chadwick declared he would appeal. Ben Berinstein was chairman. The hearing will continue tomorrow.

Erpi to Distribute Picture to Colleges

Chicago, July 25.—Erpi Picture Consultants, Inc., non-theatrical film subsidiary of Erpi's, will distribute nationally "The Human Adventure," an eight-reel educational film produced by the University of Chicago. "Road showings" in the leading colleges and universities throughout the country are planned.

The picture depicts the rise of man from savagery to civilization and was made in the Far East during exploration work by the Chicago university's Oriental Institute. Its accompanying narrative is by James H. Breasted, Jr.

Plan Big Kid Party

Pittsburgh, July 25.—Variety Club and Leo G. Altmayer, known as the "Watermelon King," will combine Sunday as hosts for 20,000 children with enough watermelons lined up to take care of 148 institutions. Jerry Mayhall will lead a 90 piece orchestra. Lowell Thomas will talk in addition to Catholic, Protestant and Jewish clergymen while a choir of 2,500 voices will sing.

Altmayer developed the idea 15 years ago. He is a club barker and working with him on the plan for Sunday are John H. Harris, James G. Balmer, J. T. McGreevey, Mayhall and George Tyson.

May Get Extra Salaries

Two RKO theatre companies have made arrangements whereby managers and press representatives of their theatres will receive a week's salary if they achieve quota business during August.

Los Angeles Lease Widens F. & M. Power

(Continued from page 1)

strengthens the new operating position of the company considerably.

Tied in with the Paramount lease is a five and one-half year Paramount film franchise for the Los Angeles house and a reciprocal guarantee that no F. & M. stage show will play elsewhere in Los Angeles during the term of the lease.

The F. & M. lease expires Aug. 31, 1939, and calls for an average annual rental of $107,500 against 12½ per cent of the gross receipts. A proviso of the lease agreement is that Marco Wolff, J. A. Partington and Harry C. Arthur will not dispose of their majority stock control in the Partmar Corp., the F. & M. leasing subsidiary, during the term of the lease on the Paramount.

The Paramount film franchise for the house calls for the playing of 52 features annually and embodies a term deal covering the first 78 weeks of the lease. The term deal provides for the playing of 22 Class A pictures at 25 per cent of the gross up to $14,000 and 50 per cent of the gross thereafter, against a $3,500 guarantee and with a provision for deducting $4,000 from the gross receipts for stage show costs before computing the percentage. In addition, 26 Class B pictures are to be shown at 15 per cent of the gross up to $18,000 and 50 per cent of the gross thereafter, and 30 Class C pictures to be played at $1,000 each.

The franchise also makes 150 short subjects available for the 78-week period at $100 per week and 78 issues of the Paramount newsreel at $150 per issue.

Fay's 'Fool's Advice' For Warner Release

(Continued from page 1)

Warner program. The picture, in which Fay stars, incidentally, is understood to have been recommended to the Warners by Father Coughlin, Detroit priest and radio commentator.

This is the first outside picture to be released by Warners in some years, but, according to the company, does not point the way toward a future policy.

More Austrian Film Worries Anticipated

(Continued from page 1)

the amusement business in that country. Theatrical conditions there have been upset for some time, but the latest outbreak, carrying with it implications of further events to come, was viewed last night as more serious than any which has prevailed there in recent years.

"U" Workers Recover

Universal employes are recovering from their annual outing to Bear Mountain. Practically all the home office employes and a number of their friends made the trip by boat on Tuesday and went through a program of swimming, baseball, tennis, etc.

The Leading Daily Newspaper of the Motion Picture Industry

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VOL. 36. NO. 22 NEW YORK, FRIDAY, JULY 27, 1934 TEN CENTS

Code-Approved Features Reach 50 with 52 Shorts

The Code-Approved List

Hollywood, July 26.—This is a breakdown of the product, feature and short, which has passed through the strengthened Production Code Administration under Joseph I. Breen. The administrator began issuing new certificates for these pictures on July 13. By the close of business on July 24 this was how the lineup stood:

Columbia—5 features, 5 shorts.

Fox—11 features.

M-G-M—2 features, 8 shorts.

Paramount—7 features (one to undergo title change and release so not set).

Radio—5 features, 14 shorts.

United Artists—4 features (all 20th Century), 1 short.

Universal—3 features (title of one to be changed), 4 serials and 13 shorts.

Warners—13 features, 9 shorts.

This makes a total of 50 features, 52 shorts and four serials.

Breen Goes Through Big List in 11 Days From July 13

Hollywood, July 26.—Fifty features, 52 shorts and four serials have been approved under the strengthened Production Code Administration since Joseph I. Breen began work July 13. All of these were passed in the 11 days up to and including July 24.

Warners heads the list of major companies with number of features ready. It has 13. Fox is second with 11, Paramount has seven, and Columbia and Radio trail along with five each. United Artists has four from 20th Century and Universal three.

Radio heads the list with available shorts, having 14. Warners have nine, M-G-M has eight, and Columbia five

(*Continued on page 7*)

Campi to Set Up Emergency Appeal Bodies

Will Function in Field To Conserve Time

Emergency boards to hear appeals from local clearance and zoning board rulings will be despatched to or set up in the field by Campi, it was decided yesterday by Code Authority.

The boards will hear all appeals filed in any single clearance and zoning board territory, whether by signers or non-signers of the code. In addition to expediting the settlement of troublesome clearance and zoning situations in 125 cities in 25 of the 31 local clearance and zoning board territories, the new appeal machinery will save exhibitors all over the

(*Continued on page 6*)

Campi Refuses to Reopen 3 Rulings

Code Authority yesterday denied petitions for rehearings of three cases in which the original findings of local code boards were sustained by Campi on appeal to it.

The cases were an overbuying complaint against Jefferson Amusement Co., Victoria, Texas, decided in favor of Rubin Frels, the complainant; a clearance and zoning ruling by the Atlanta board involving the Miami, Fla., situation, appealed by E. J. Sparks, and an overbuying complaint

(*Continued on page 6*)

New Type Censoring Proposed for N. Y.

Albany, July 26.—Under the terms of an education law amendment just submitted by Charles H. Breitbard, Brooklyn Democratic assemblyman, films to be shown children under 16 must be submitted to a special censorship.

Films suitable for old and young will have unlimited licenses from the censors, and those not suitable for youngsters will be so designated in the license. Penalties are provided for violations.

Nine Censors Named By Seattle's Mayor

Seattle, July 26.—An entirely new board of censors, nine in number instead of five as formerly, has just

(*Continued on page 7*)

Labor Trouble Is Held to Be Local Problem

Kansas City, July 26.—Violence in labor disputes is for state and local authorities to handle, but where it assumes aspects of racketeering it becomes a Federal problem, asserted Division Administrator Sol A. Rosenblatt here while en route to the Coast. He said any evidence of racketeering submitted to him would be forwarded to the Department of Justice.

Rosenblatt made the assertion in connection with recent outrages involving Kansas City theatres and the bombing of the home of Ed Dubinsky, head of Dubinsky Bros. Theatres. He was of the opinion the fight for supremacy in St. Joseph, Mo., between the I. A. T. S. E. local and the In-

(*Continued on page 6*)

"Gambling" Will Be First by Franklin

Harold B. Franklin will produce "Gambling," starring George M. Cohan, as his first picture. Rowland V. Lee, who has just completed "The Count of Monte Cristo" for Reliance-United Artists, will direct and production will be centered at Eastern Service Studio.

Bella and Sam Spewack have been borrowed from M-G-M to write the script. Work starts Aug. 13.

N.O. Churches Assured Clean Pictures Soon

New Orleans, July 26.—Theatre owners have taken a public stand in reply to the Legion of Decency campaign here by assuring church leaders that producers are already responding to public sentiment and that pictures soon will be beyond criticism.

This declaration of policy was decided upon at a meeting of more than 90 per cent of exhibitors here, and Harry S. McLeod, manager of the St. Charles, was designated as spokesman.

"The fact that producers in Hollywood have already recognized the need for wholesome entertainment means that the exhibitor will, in a short time, be able to present pictures that will meet the approval of all religious and better film groups," he wrote.

"Winters" Defended In Depinet Letter

A defense of "The Life of Vergie Winters," included on several lists of "disapproved" pictures since the opening of the church decency campaign and refused a permit by the Chicago censor board, is undertaken in a letter to exhibitors sent yesterday by Ned E. Depinet, president of RKO Distributing Corp.

Depinet's letter cites favorable

(*Continued on page 7*)

Report 87% Opposed To Duals in Oregon

Portland, July 26.—More than 87 per cent of Oregon exhibitors are against duals, it was stated at a clearance and zoning board meeting. This is expected to increase to 95 per cent before complete elimination is effective.

Adjustments in price classifications of the zoning schedule for outlying exhibitors were discussed.

After hearing the complaint of the Ritz Theatre, Payette, Idaho, against M-G-M for alleged failure to deliver film, the grievance board dismissed the case.

Gilbert, Fairbanks May Sign with BIP

By BRUCE ALLAN

London, July 26.—John Gilbert and Douglas Fairbanks, Jr., will sign starring contracts with British International, if deals now pending materialize.

Walter Mycroft, director for B.

(*Continued on page 8*)

F. & M. Para. Lease In L. A. Is Approved

Leasing of the Los Angeles Paramount to Panchon & Marco for a five and one-half year term was approved yesterday by Special Master John E. Joyce. Included in the agree-

(*Continued on page 8*)

MOTION PICTURE
DAILY

(Registered U. S. Patent Office)

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JAMES A. CRON
Advertising Manager

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Film Drive, Ramsaye Topic Before Rotary

Discussing the church drive for clean films, Terry Ramsaye, eiditor of *Motion Picture Herald,* told Rotary Club at the Hotel Commodore yesterday that in their efforts to produce mass entertainment producers had followed the lead of the stage and taken most of their material from metropolitan sources.

This, he said, had tended toward sophistication in films and had pleased the population centers as a rule, but had displeased smaller communities. After all, he said, the public will decide what is going into films.

He expressed the opinion that many publicity seekers are now trying to climb onto the church band wagon in the present drive and that it will gradually die down.

He also said many people thought the place for children was in the home and that if more of them were kept there by their parents films could be devoted to their function of entertainment.

Curtis to F. P. C.

TORONTO, July 26.—Gene Curtis has been appointed eastern publicity director of Famous Players Canadian.

He won the Quigley award for May and has been mentioned every month since the award was launched.

To Show French Film

"Voyage de Noce," a French film, will be shown this afternoon at 2:30 o'clock by John S. Tapernoux on the *Ile de France.*

Insiders' Outlook

HOLLYWOOD turmoil with consequences very apt to take a damaging turn, eddies back and forth over indecision on what to make and what not to make. The studios simply don't seem to know and thereby complicate their existence. It's far more a question of treatment than it is of stories, although this is not to be construed as indicating basic dramatic situations won't have to be given the eagle eye. However, the popular reaction to the church campaign appears to be voting sex out of the picture and so out of pictures. That's the wrong slant entirely. The facts of life are what they are. Nobody can do much about them. . . .

▼

As we get the slant, the fuss on the part of various religious groups is to clean up where the broom should have been applied by the industry on its own many months back. This is not to say that Clark Gable will have to do his acting while dancing around a May pole, although Mae West and Jean Harlow, it is true, may find trouble finding places to go. The movement means what this column pointed out some days back: That Hollywood will have to prove its brain superiority by finding the middle course which is the safe course. Those who discover the answer have nothing to worry about. Those who flounder may have to look for other jobs. It's as simple as all that. . . .

▼

Up front in the news columns where nobody can miss it, Mr. Hearst's *Evening Journal* has been giving the church campaign plenty of attention so that he who reads may not miss any of it. The publisher, in his *New York American* and other papers elsewhere, recently editorialized on clean pictures, et al. Yet, if any portion of the film industry attempted to include in newsreels death shots of Dillinger such as those blown up and spread over the columns of the *Journal,* we ask you what the consequences would be. This is one point on which the trade will not find itself divided. . . .

▼

Distributors are beaming with anticipation over projected plans of J. J. Franklin to build a circuit in Hawaii where Consolidated Amusement has long held sway. This company, for years, has been buying pictures outright for the territory while distributors have had an idea the lack of competition has been keeping rentals at a figure which they say ought to be lots higher. At the same time and in the same breath, in fact, sales executives assert they don't know what sort of prices would satisfy them. The reason for this is the islands are far removed from San Francisco out of which shipments are made. Distributors, from time to time, have sent emissaries over to check on possibilities, but the investigators went in for swimming and golf, not investigation. With Loew planning to build in Honolulu, the situation seems headed for a change—distributors' way—by the time the next selling season rolls around. . . .

▼

Growth of the Utopians, a Los Angeles secret society, with alleged pink leanings and a reported membership of over 100,000, is giving the locals there some serious thought waves besides a few giggles. A bank here is said to have dismissed two employes, who admitted being members of Utopia. Next day, a committee of Utopians waited on the bank president and informed him that he had 200 depositors who were members. The employes were reinstated and the deposits were not withdrawn. In the film colony, word filtered through that it wouldn't set well with the moguls if picture workers affiliated with Utopia. One writer, said to be a Utopian, stated: "I have no objection to any magnate belonging to the Elks, Eagles or the Eurekians, so why should they keep me from *my* Utopia?" . . .

▼

July 24, 1934.

Mr. Red Kann,
New York City.

Dear Red: I am finished taking your slurring remarks about my being a Kentucky colonel. Your biting remarks got under my skin and in order to retaliate and put you in the position where you will not be able to cast aspersions on my rank, I am, accordingly, sending you, under

(*Continued on page 8*)

Purely Personal

DAVID M. LOEW, EUGENE ZUKOR, LOUIS BROMBERG, CHARLES SONIN, ARTHUR HAMMERSLAG, LOU METZGER, HERBERT EBENSTEIN, TOM GERETY, SIDNEY JUSTIN, ROBERT BENJAMIN, GEORGE WELTNER and JOHN CHAPMAN were among thoe who lunched at the M. P. Club yesterday.

TRUMAN H. TALLEY, MIKE CLOFINE, JOE MOSKOWITZ, BOB GOLDSTEIN, IRVING LESSER, HARRY ARTHUR, CHARLIE BARRELL, W. C. MICHEL, BEN BLUMENTHAL, RALPH POUCHER, HAROLD BAREFORD and EDWARD O. BLACKBURN were among those at the Tavern yesterday for lunch.

E. A. SCHILLER adds to the vacation mailbag, with a postcard from Honolulu:

> "This is a vulnerable spot for a trade paper and what a climate and beach and what not for a life of joy? Just Paradise."

VALERIE HOBSON and FRANK L. SULLIVAN, British players imported by Universal, arrive today aboard the *Berengaria* on their way to Hollywood.

ADRIENNE AMES has arrived by plane from the coast to play the title role in Select's "Gigolette," which goes into production Monday at Biograph.

AMBROSE DOWLING, European sales manager for RKO, returns to his headquarters in London today aboard the *Majestic.*

ALEXANDER WOOLLCOTT has been signed by Universal for a role in "Gift of Gab."

FRANK HARRIS' "The Magic Glasses" has been acquired by M-G-M.

FRED WALTON has resigned from the Hayman & Walton casting office.

All on Big Board Decline

	High	Low	Close	Net Change	Sales
Columbia Pictures, vtc	23⅜	21½	21½	—2½	900
Consolidated Film Industries	2¾	2¼	2¼	— ½	700
Consolidated Film Industries, pfd	12¼	11½	11½	—1	900
Eastman Kodak	98½	92¼	93½	—4	2,100
Fox Film "A"	9	8¼	8¼	—1⅜	1,200
Loew's, Inc.	23⅞	20⅜	20⅞	—2⅞	14,400
Loew's. Inc., pfd	79¾	79	79	— ⅜	200
Paramount Publix, cts	3	2¾	2¾	— ¼	15,700
Pathe Exchange	1⅝	1½	1½	— ⅛	2,000
Pathe Exchange "A"	14¼	11⅛	12	—3	4,000
RKO	1⅜	1½	1½	— ¼	1,300
Warner Bros.	3⅝	2¾	3	— ¾	27,800

Technicolor Slumps 2¼ on Curb

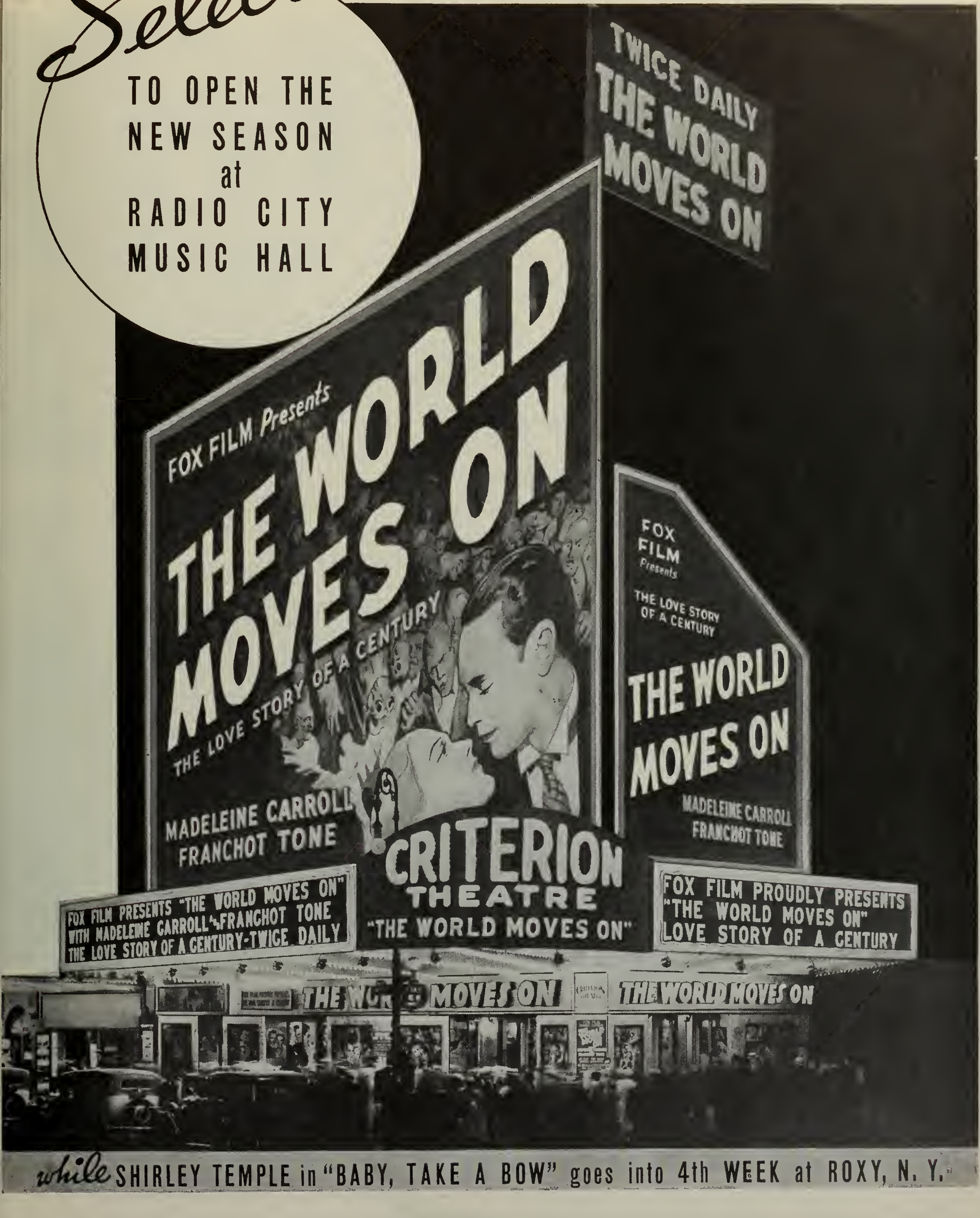
	High	Low	Close	Net Change	Sales
Technicolor	12⅜	10⅛	10⅛	—2¼	3,500
Trans Lux	1¼	1¼	1¼	+ ⅛	100

Bond Issues Take Heavy Losses

	High	Low	Close	Net Change	Sales
General Theatre Equipment 6s '40	6¼	6	6	— ½	5
General Theatre Equipment 6s '40, ctf	6	6	6	— ¼	3
Keith B. F. 6s '46	62	62	62	— ½	1
Loew's 6s '41, ww deb rights	98	97	97	—1	28
Paramount Broadway 5½s '51	35½	35½	35½	—5½	2
Paramount F. L. 6s '47	39	39	39	—5¾	1
Paramount Publix 5½s '50	40½	38⅜	38⅜	—3⅜	18
Pathe 7s '37, ww	98	98	98	.....	1
Warner Bros. 6s '39, wd	51⅜	47½	47½	—3¾	100

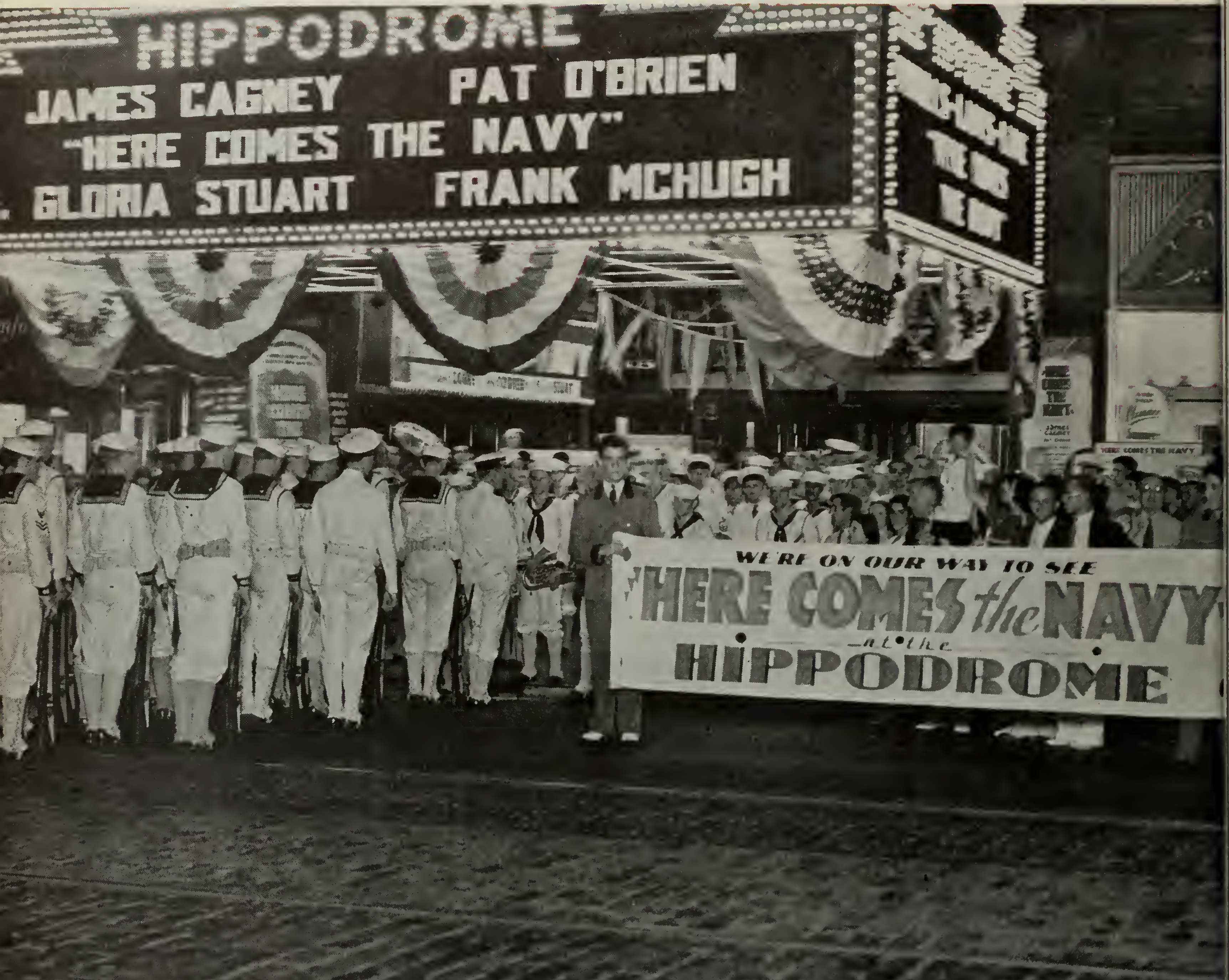
Selected

TO OPEN THE
NEW SEASON
at
RADIO CITY
MUSIC HALL



while SHIRLEY TEMPLE in "BABY, TAKE A BOW" goes into 4th WEEK at ROXY, N. Y.

JOIN THE WORLD AND



"HERE COME

BREAK *Your* RECORD!

TOPPED "WONDER BAR" IN MEMPHIS IN HOTTEST WEATHER IN 60 YEARS

•

DOUBLED ANY PREVIOUS MIDNIGHT OPENING OF SEASON IN HOUSTON

•

ONLY $6 UNDER "WONDER BAR'S" RECORD FOR '33-'34 IN SAN ANTONIO

•

TOPPED "TWENTY MILLION SWEETHEARTS" IN PITTSBURG, CLEVELAND

•

MORE THAN DOUBLED GROSS IN ALBANY, AKRON & ERIE OPENINGS

•

'WAY OVER "TWENTY MILLION SWEETHEARTS" AT NEW YORK STRAND

S THE NAVY"

from WARNER BROS.

Campi to Set Up Emergency Appeal Bodies

(Continued from page 1)

country the necessity of coming to New York for appeal hearings before Campi or its designated committees.

The new boards will begin to function as soon as the numerous petitions for appeals hearings can be tabulated and personnel appointed to make up the new field groups. Personnel in some instances will be members of Code Authority or designated alternates or representatives of that body. In other cases, the personnel will be sought among the ranks of state exhibitor association officers and field executives of distribution companies.

George Schaefer of Paramount and Charles L. O'Reilly of the T. O. C. C., comprising the Campi clearance and zoning committee, will have charge of the setting up of the new field appeals machinery.

Looking 'Em Over

"Shock"

(Monogram)

A pleasing and entertaining film that should do well in neighborhoods and small towns despite its war theme. The players are competent and well cast, particularly Monroe Owsley. The action is slow in starting, but picks up noticeably after the first two reels. Photography is good, but the direction might have been better.

The story concerns Ralph Forbes, a lieutenant in the British army, who marries Gwenllian Gill, sweetheart of Owsley, captain of his company, after a three-day courtship. Forbes is recalled to the front the day after his wedding. He is shell shocked, loses his memory, wakes up in a hospital where he is given a false name by an attendant. He then returns to the war, distinguishes himself in battle and emerges from the conflict a major. His wife, in the meantime, becomes the mother of his son and refuses to believe her husband dead.

Forbes returns to London, regains his memory and clears himself of the charges of desertion that Owsley had lodged against him out of jealousy. He is then reunited with his wife and all ends happily. Running time, 69 minutes.

Campi Refuses to Reopen 3 Rulings

(Continued from page 1)

decided against Atlantic Theatres, Bridgeton, N. J., by the Philadelphia grievance board.

Campi yesterday held, in denying the petitions for rehearings of the cases, that no facts had been brought out to warrant reopening of the cases and noted that the original Campi findings on the appeals were unanimous.

Jefferson Amusement Co. notified Campi immediately that it would take steps to comply with the original determination which directs the company to prepare two lists of 39 pictures each under contract to it and submit them to Frels for a choice of one of the lists.

The Price, Waterhouse audit of Campi administration costs was submitted to Code Authority and will be made public Monday.

The recent manifesto sent to Campi by 36 of 40 Denver metropolitan exhibitors, declaring that the signatories would refuse to recognize Code Authority or its local boards unless "home rule" in exhibition affairs was granted the exhibitors was submitted to the meeting. The sense of the meeting was that the Denver exhibitors should be notified that if they had a complaint to make against a local board's findings it should be directed to Campi according to the machinery set up in the code for appeal action. Executive Secretary John C. Flinn was directed to communicate that opinion to the Denver group.

Charles L. O'Reilly presided at yesterday's meeting. In attendance were George Schaefer, R. H. Cochrane, Nathan Yamins, W. C. Michel, Leslie E. Thompson, J. Robert Rubin, Harold S. Bareford, Ed Golden and Lewen Pizor, the latter alternate for Ed Kuykendall. Deputy Administrator William P. Farnsworth appeared for Division Administrator Sol A. Rosenblatt, who is on the coast.

To help maintenance of proper air conditions in the theatre the year 'round

AIR CONDITIONING CHARTS

Fit the pocket or may be tacked on wall. Only limited number available. Order now. Price 25 cents.

BETTER THEATRES
1790 BROADWAY NEW YORK

Premiums Outlawed By K. C. Code Board

KANSAS CITY, July 26.—Premiums were outlawed today by the local grievance board when it accepted a petition containing the signatures of more than 75 per cent of circuit and independent theatres demanding their elimination. The board set the effective date as Oct. 27 to permit exhibitors to fulfill their present contracts.

Jay Means, I. T. O. president and board member, circulated the petition himself in six counties, Jackson, Clay and Platte in Missouri and Wyandotte, Leavenworth and Johnson in Kansas.

E. S. Young of the Roanoke, this city, today filed an appeal with the board for forwarding to Campi protesting the board's decision against him holding bank nights a lottery.

Three Decisions Set By the Albany Board

ALBANY, July 26.—Two complaints have just been disposed of by the grievance board and one has been returned from Code Authority and upheld.

The complaint of Minrose Amusement Corp., State Theatre, Carthage, against Schine Theatrical Co., operator of the Strand, on premature advertising was upheld, and the practice ordered stopped.

A reduced admission complaint charging operation of a lottery brought by Schine as operator of the Colonia, Norwich, against William C. Smalley, operator of the Smalley, that town, also was upheld and a stop order issued.

An overbuying complaint by Smalley against Schine on the same theatres recently sent back by Campi was heard again, and Schine was ordered to release 10 features, two each from Fox, M-G-M, Paramount, Universal and Warners, on the current season's list.

Labor Trouble Held To Be Local Problem

(Continued from page 1)

dependent M. P. Operators' Union had something to do with the Dubinsky bombing. Dubinsky employs operators from the independent group at his St. Joseph theatres. Rosenblatt said a similar situation involving the two unions had arisen in another city.

"It is immaterial to the code administration which union the theatres use, so long as code provisions are complied with," Rosenblatt added.

The division administrator denied he had received any appeal from Local 170, I. A. T. S. E., from the decision of A. W. DeBirney, NRA arbitrator, reducing the booth manpower at Dubinsky's local houses. Union officials assert the appeal was filed several weeks ago and have been awaiting a reply.

Rosenblatt explained he had taken no action on complaints of racketeering submitted to him several months ago by Jay Means, I. T. O. president here, because Means did not present any direct evidence. He said Means gave him a file of clippings from Kansas City newspapers.

Smith on Cincy Board

CINCINNATI, July 26.—Pending appointment of a permanent successor, George Smith, alternate member, is serving on the local clearance and zoning board in place of Maurice White, unaffiliated distributor member, who has resigned as Warner manager to become president of Forland, Inc., a new company organized to acquire and operate neighborhood houses.

Code Change Was Secret, Myers Finds

WASHINGTON, July 26.—A charge that the June 13 amendment to the code, providing for the hearing of complaints against existing clearance and zoning schedules, rather than the drafting of complete new schedules for this year by clearance and zoning boards, was "handled very surreptitiously," is made in a letter to Sidney Samuelson, Allied States president, from Abram F. Myers, Allied general counsel, made public today by the latter.

Myers' letter charges that the amendment was designed to perpetuate existing schedules as the code does not authorize the setting up of boards to regulate clearance and zoning, he says.

"The formulation and putting into effect of a new schedule which injured any subsequent run exhibitor would have exposed everyone connected with the transaction to a suit for treble damages," the letter states. It adds that so far as Myers is aware, no mention of the amendment has been made in the trade press.

The June 13 amendment to the code has had continuous publicity in the trade press since it first came into being last Feb. 16 as a resolution unanimously adopted by Code Authority on motion of Harold S. Bareford, seconded by Nathan Yamins, an Allied States national vice-president and member of Code Authority, it was stated at Campi headquarters yesterday in reply to the Abram Myers letter.

The amendment was necessary, it was stated, because of "unavoidable delay in establishing clearance and zoning boards in time to prepare schedules prior to Jan. 1, as prescribed in the code, and because the approach of the new selling season made it imperative to simplify and expedite the work of the local boards."

Colonel Kann Leaves

Col. Red Kann left early this morning on his vacation. He expected to be in Portland early this afternoon and hopes to reach Boothbay Harbor early tomorrow, en route to Mohican Island out in the Atlantic.

The colonel end of his name arrived last night. It's one of those Kentucky titles bestowed by Gov. Ruby Laffoon.

Approved Features Reach 50; 52 Shorts

(Continued from page 1)

and Universal 13. Universal also has four serials.

The list follows:

Columbia

(*Features*)

"Beyond the Law," "Blind Date," "The Defense Rests," "Name the Woman" and "One Night of Love."

(*Shorts*)

"Back to the Soil," "Katnips of 1940" (Mintz), "The Professor Takes a Lesson," "Snapshots No. 12," "Trapeze Artists," (Mintz), "Tripping Through the Tropics."

Fox

(*Features*)

"Baby Take a Bow," "Cat's Paw," "Change of Heart," "Charlie Chan's Courage," "David Harum," "Grand Canary," "Handy Andy," "Servants' Entrance," "She Learned About Sailors," "She Was a Lady" and "The World Moves On."

M-G-M

(*Features*)

"Paris Interlude" and "Treasure Island."

(*Shorts*)

"Dartmouth Days," "Girl from Missouri," "Goofy Movies," "Mike Fright" (Roach," "Pro Football," "Strikes and Spares," "Taking Care of Baby" and "Them Thar Hills."

Paramount

(*Features*)

"Cleopatra," "Elmer and Elsie," "Ladies Should Listen," "The Notorious Sophie Lang" (to be changed, no release date), "Now and Forever," "Scarlet Empress" and "She Loves Me Not."

Radio

(*Features*)

"Bachelor Bait," "Hat, Coat and Glove," "His Greatest Gamble," "Of Human Bondage" and "Their Big Moment."

(*Shorts*)

"Blasted Event," "Contented Calves," "Everything's Ducky," "Ferry Go Round," "Fixing a Stew," "Flying Down to Zero," "Fuller Gush Man," "If This Isn't Love," "La Cucuracha," "Odor in the Court," "Poisoned Ivory," "Ruth Etting No. 1," "Unlucky Strike" and "What, No Groceries?"

United Artists

(*Features*)

"Affairs of Cellini," "Bulldog Drummond," "The Last Gentleman," "Our Daily Bread" (20th Century).

(*Shorts*)

"Orphans' Benefit."

Universal

(*Features*)

"Ransom $1,000,000," "Romance in the Rain" (to be changed), "There's Always Tomorrow."

(*Serials*)

"A Leap for Life," "A Treacherous Ambush," "The Night Attack" and "Sentenced to Die."

(*Shorts*)

"Brink of Death," "Chris Columbus, Jr.," "Demi Tasse," "The Fatal Plunge," "Going Places," with Lowell Thomas (2); "Just We Two," "The Stampede," "Stranger Than Fiction" (2); "Tidbits," "Trapped."

Warners

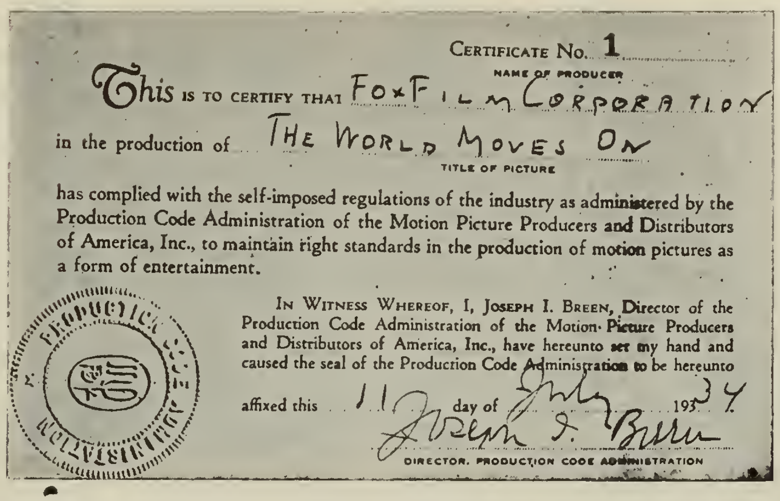
(*Features*)

"British Agent," "The Circus Clown," "Dames," "The Dragon Murder Case," "Friends of Mr. Sweeney," "Here Comes the Navy," "Housewife," "Kansas City Princess," "Madame Du Barry," "Man With Two Faces," "Midnight Alibi," "Personality Kid" and "Return of the Terror."

(*Shorts*)

"Buddy, the Woodman" (Schlessinger), "The Girl at the Ironing Board" (Schlessinger), "Good Badminton," "Good Morning, Eve," "Oh, Sailor Behave," "Radio Scout," "Rhythm on the Roof,' "Service With a Smile" and "What, No Men?"

The "Seal of Purity"



CERTIFICATE NO. 1

This IS TO CERTIFY THAT FOX FILM CORPORATION
NAME OF PRODUCER

in the production of THE WORLD MOVES ON
TITLE OF PICTURE

has complied with the self-imposed regulations of the industry as administered by the Production Code Administration of the Motion Picture Producers and Distributors of America, Inc., to maintain right standards in the production of motion pictures as a form of entertainment.

IN WITNESS WHEREOF, I, JOSEPH I. BREEN, Director of the Production Code Administration of the Motion Picture Producers and Distributors of America, Inc., have hereunto set my hand and caused the seal of the Production Code Administration to be hereunto affixed this 11 day of July 1934

Joseph I. Breen
DIRECTOR, PRODUCTION CODE ADMINISTRATION

This is how certificates issued by Production Code Administration look. First in the west went to "The World Moves On" (Fox). First in the east went to "Hits of Today," a Mentone two-reeler for Universal.

Cancellation Called 'Hoodwink' by Myers

WASHINGTON, July 26.—Cancellation privileges accorded in response to public protests in the current film drive are designed to "hoodwink the press and public" and "mean exactly nothing," declares Abram F. Myers in the latest Allied bulletin.

Before a picture can be cancelled in response to a protest. Myers says, an exhibitor must have exhausted his cancellation privileges under the code.

"This means," he says, "that the exhibitor can only cancel one picture out of each group of 10, provided he has bought the entire output of the producer, and he must limit himself to the tenth picture in each group unless he is willing and able to advance to the producer the entire film rental for the pictures cancelled, such advance payments to be applied to the tenth picture in each group as and when such picture is reached in the regular order of release."

CHICAGO, July 26.—More than 1,200 women, in a mass meeting at the Grand Opera House, pledged their support of the Legion of Decency campaign after hearing talks by the Most Rev. B. J. Sheil, Rt. Rev. T. V. Shannon, Rev. James C. Curry and Miss Madge Rogers, director of continuation schools in Chicago.

"Winters" Defended In Depinet Letter

(Continued from page 1)

newspaper reviews of the picture and its approval and virtual endorsement by Mrs. Richard L. McClure, national photoplay chairman of the General Federation of Women's Clubs, and representatives of Chicago community women's clubs following a screening of the picture there.

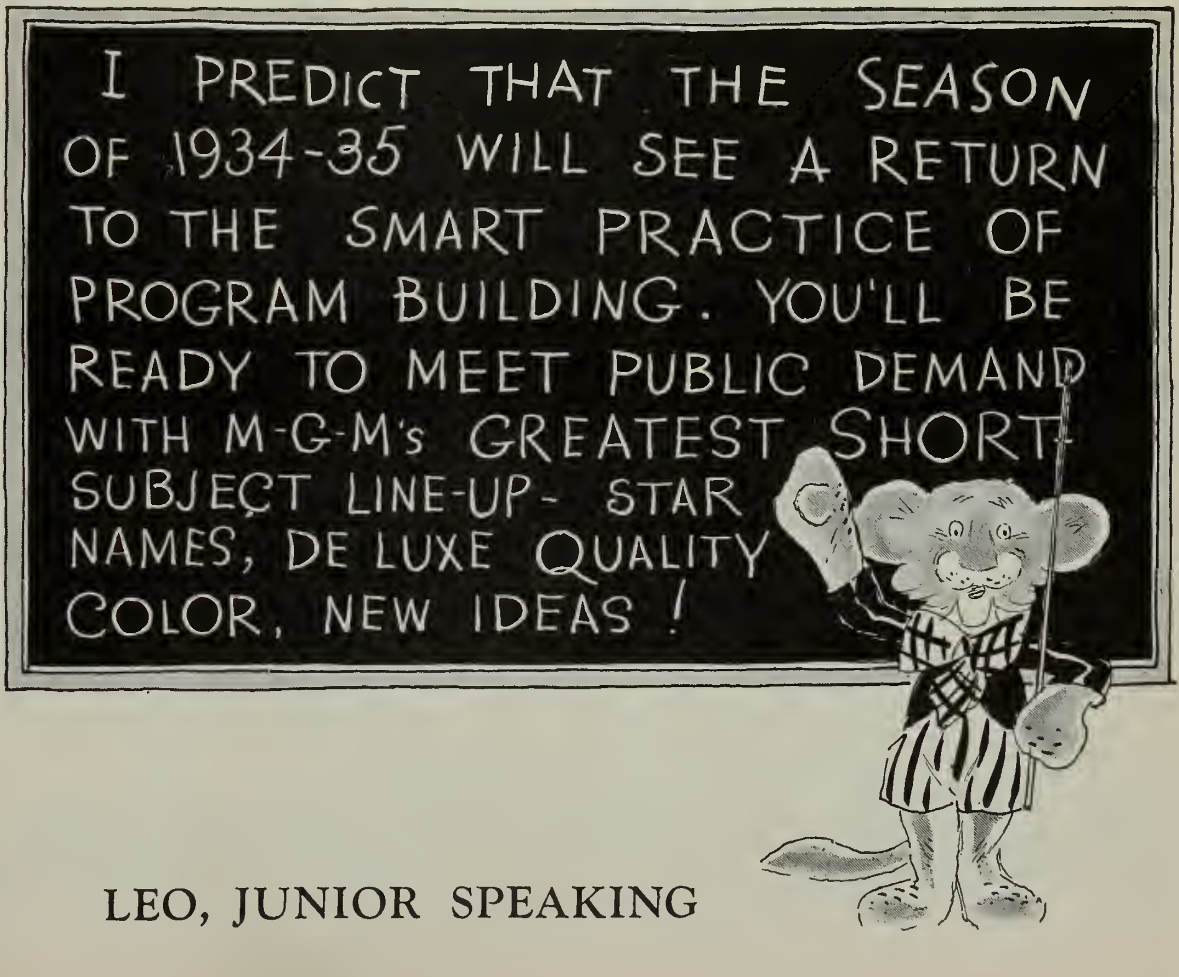
"The churchmen are making an effort," Depinet's letter says, "to keep their followers from seeing disapproved films, and you, as an exhibitor, have a natural interest in seeing that during the progress of such a movement, unsupported opinion does not prevent you from exhibiting films which have been so widely approved by unimpeachable citizens and organizations."

Nine Censors Named By Seattle's Mayor

(Continued from page 1)

been named by Mayor Charles E. Smith.

The new board includes Rev. Dr. Cyrus A. Wright, personal friend of the new mayor and a leader in the "clean films" movement; L. Kenneth Schoenfeld, furniture dealer; Frank A. Donley, real estate dealer; Charles R. Watts, building material dealer; G. Roy Sumpter, president of the Seattle Property Owners' Ass'n.; Ellis H. Moehring, suburban shoe dealer; N. W. Federspiel, salesman; Charles Crickmore, projectionist, and Mrs. George Faltico, wife of a contractor and very active in Italian club circles. A chairman will be elected next week.


I PREDICT THAT THE SEASON OF 1934-35 WILL SEE A RETURN TO THE SMART PRACTICE OF PROGRAM BUILDING. YOU'LL BE READY TO MEET PUBLIC DEMAND WITH M-G-M's GREATEST SHORT-SUBJECT LINE-UP - STAR NAMES, DE LUXE QUALITY COLOR, NEW IDEAS!

LEO, JUNIOR SPEAKING

"Elmer," Joe Penner Heavy Draw in L.A.

Los Angeles, July 26.—"Elmer and Elsie," with Joe Penner on the stage at the Paramount, led the field last week with a take of $21,415, over average by $3,415.

The weather continues pleasant and business is holding up. "The Thin Man" at Loew's State was $500 up at $14,500.

Total first run business was $70,615. Average is $71,850.

Estimated takings for the week ending July 25:

"THE CROSS OF THE SWORD" (State Rights)
FILMARTE—(900), 40c-50c, 7 days. **Gross:** $800. (Average, $2,650)
"THE THIN MAN" (M-G-M)
LOEW'S STATE—(2,413), 30c-55c, 7 days. **Gross:** $14,500. (Average, $14,000)
"ELMER AND ELSIE" (Para.)
PARAMOUNT—(3,595), 30c-55c, 7 days. Stage: Joe Penner, in person (3 days only), F. & M. revue "Rhapsody in Flame." **Gross:** $21,415. (Average, $18,000)
"OF HUMAN BONDAGE" (Radio)
RKO—(2,700), 25c-40c, 7 days. **Gross:** $8,000. (Average, $8,000)
"DR. MONICA" (Warners)
WARNER BROS. (Hollywood)—(3,000), 25c-55c, 7 days. **Gross:** $12,000. (Average, $14,000)
"DR. MONICA" (Warners)
WARNER BROS. (Downtown)—(3,400), 25c-55c, 7 days. **Gross:** $11,000. (Average, $12,000)
"MURDER ON THE BLACKBOARD" (RKO)
"THE PARTY'S OVER" (Col.)
PANTAGES—(3,000), 25c-40c, 7 days. **Gross:** $2,900. (Average, $3,200)

F. & M. Para. Lease In L. A. Is Approved

(*Continued from page 1*)

ment is a Paramount film franchise for a like number of years.

Also approved was a plan of settlement of claims against the Third & Broadway Corp., Los Angeles, a Paramount subsidiary.

The F. & M. lease on the Los Angeles Paramount gives that company its fifth de luxe house. Others under its operation are the Missouri, Ambassador and Grand Central, St. Louis, and the Orpheum, San Francisco. F. & M. stage shows will not be shown elsewhere in Los Angeles except at the Paramount during the term of the lease.

Gilbert, Fairbanks May Sign with BIP

(*Continued from page 1*)

I. P., today informed Motion Picture Daily the company had signed Wm. Beadine to direct "Funny Face" from the Astaire stage show. Tom Geraghty will do the script while Gloria Stuart, Myrna Loy and Tilly Losch are being considered for the feminine lead.

Says Court O. K. Needed

Cleveland, July 26.—Because the local protection plan was a compromise agreement the decision in the appeal brought against the schedule, now before Campi, will have to be submitted to a Cleveland court for approval, Martin Smith, head of the I.T.O. of Ohio, today told members of the Cleveland M. P. Exhibitors' Ass'n.

Behind the Make-Up

By F. J. NEIDIG

THE second of the Spanish dialogue pictures, "His Unofficial Fiancee," was recently finished at Eastern Service for Paramount International. Carlos Gardel, well-known Argentine tango singer, is the star, with a supporting cast including Blanca Vischer, Trini Ramos, Vincente Padula and Jaime Devesa. Gardel, who has a very pleasing voice, sings several numbers, among them "Soledad" (Loneliness), "Rubia de New York" (Blondes of New York) and "Golondrinas" (The Swallows). The cameras were handled by Bill Miller and George Hinners, assisted by George Belisario and Eddie Hyland.

•

The demonstration color picture of Keller Dorian, which was indefinitely postponed in May was recently finished at Eastern Service. Lee Garmes directed with P. M. Hamilton, executive producer, supervising. The cast includes the six "Harmony Singers" of the Onyx Club, Red McKenzie, Ruth Hall and show girls from the Paradise and Hollywood restaurants. Arthur Cozine handled the production with Bob Stillman assisting on the direction and Dan Cavelli behind the camera. Others working on the picture were John Capstaff, Eastman technical man; Frank Cavett, dialogue director, and Lorenzo Del Riccio.

•

Jack Doran, son of Dan Doran, has been engaged with his 10-piece orchestra by Charles Lucas to provide dance music for the Ascot Arms Club in Stamford for the summer. Doran's orchestra has been used to provide the incidental music in such pictures as "Moonlight and Pretzels," "Take a Chance," "The Downfall," "Social Register" and others made at Eastern Service.

•

Frank Z. Clemente and associates will produce a series of six Spanish dialogue pictures in the East shortly. Lewis Maisell, one of the associates, will handle production and the first picture is scheduled for August. A contract has been signed with Alfredo Le Pera, well-known Spanish author, who has just completed two stories for Paramount International.

•

Al Wilson, studio manager of Biograph, was the first cameraman to photograph Ralph Bellamy. The boys recently had an opportunity to reminisce as Bellamy appeared in Select's "Woman in the Dark," which was completed recently.

•

T. Keith Glennan, vice-president of the Eastern Service Studios, Inc., who has been on the coast for several months, recently returned on a business trip which will keep him here several weeks, after which he will return west.

•

Slavko Vorkapich, trick photography expert for Ben Hecht and Charles MacArthur, lectured at the Film and Photo League recently. His topic was "Principles of Effective Cinematography."

•

Roscoe Ates, now touring in vaudeville in Maine, has been signed by Sam Sax, Vitaphone studio head, for a series of shorts. Deal was handled by Joe Rivkin.

Another Carnera

St. Louis, July 26. — Bill Kostded, 208-pound maintenance man for the St. Louis Amusement Co., and Al Zimbalist, advertising manager, who is five feet, four inches tall and who weighs exactly 111 pounds, got into a playful scuffle, the result being that Kostded dropped his six-foot frame on the floor.

Bill claimed his ribs were fractured. The statement is borne out by a medico who answered Zimbalist's call and who wrapped Kostded's ribs with yards of adhesive tape.

•

Ruth Gillette, who recently played the comedy lead opposite Roscoe Ates in "Woman in the Dark," is now in Atlantic City appearing in "Convention Girl," the David Thomas picture now in production there.

•

Nell O'Day has gone to Atlantic City to appear in "Convention Girl" also.

Columbia Is Given New Stock Listing

Stock Exchange permission has been obtained by Columbia for listing of 31,536 additional voting trust certificates and for cancellation of listings on 66,510 certificates, a net reduction of 34,974. This leaves the total at 200,895.

Of the new securities, 4,234 certificates are for payment of a stock dividend and 27,302 for holders of Series A warrants for common stock whose option has been extended to June 30, 1937.

Next for Sten Picked

Hollywood, July 26. — Samuel Goldwyn will star Anna Sten in "Romance in Moscow" upon her completion of work in "We Live Again." Vicki Baum and Eugene Lyons wrote it. United Artists will release.

Giannini Set to Sail

Dr. A. H. Giannini, chairman of the executive committee of the Bank of America, N. A., arrived from Los Angeles yesterday and plans to sail tomorrow on the *Ile de France* with his wife and son, Bernard.

Para. Renews on Three

Hollywood, July 26.—Jack Oakie Katherine DeMille and Harlan Thompson, the last named a director and writer, have had their contracts extended by Paramount.

Form Tribune Theatre

Albany, July 26.—Tribune Theatre Corp. has been chartered here by Benjamin Rich, Abraham Scheiner and Jacob S. Aaronson.

Denver Weak, "Baby" Pulls Only $6,000

Denver, July 26.—"Baby, Take a Bow" was the only attraction in town last week to reach par, with $6,000 at the Denver.

Business took a nose-dive all along the line, with heat adding to the popularity of outdoor attractions.

Total first run business was $17,250. Average is $20,500.

Estimated takings for the week ending July 19:

"CHARLIE CHAN'S COURAGE" (Fox)
ALADDIN—(1,500), 25c-35c-50c, 7 days. **Gross:** $2,000. (Average, $2,500.)
"THE OLD FASHIONED WAY" (Para.)
DENHAM—(1,500), 15c-25c-40c, 7 days. **Gross:** $3,000. (Average, $4,000.)
"BABY TAKE A BOW" (Fox)
DENVER—(2,500), 25c-35c-50c, 7 days. **Gross:** $6,000. (Average, $6,000.)
"THE KEY" (Warner)
ORPHEUM—(2,600), 25c-35c-50c, 7 days. **Gross:** $4,500. (Average, $6,000.)
"BORN TO BE BAD" (U. A.)
PARAMOUNT—(2,000), 25c-40c, 4 days. **Gross:** $950.
"AFFAIRS OF A GENTLEMAN" (Univ.)
"SUCCESS AT ANY PRICE" (Radio)
PARAMOUNT—(2,000), 25c-40c, 3 days. **Gross:** $800. (Average, $2,000.)

Insiders' Outlook

(*Continued from page 2*)

separate cover, your commission as colonel on the staff of the Governor of Kentucky.

And let that be a lesson to you.
With kind regards, I am
Very truly yours,
Allan S. Moritz.

▼

July 26, 1934

Colonel Allan S. Moritz,
Columbia Pictures Corp.,
Cincinnati, O.

Dear Colonel: I was immediately Laffooned into action upon receipt of word from you that I had been named a mint julep colonel.

Here I am heading for a vacation on an island off the coast of Maine and you make me a colonel when it's an admiralcy that actually has been my suppressed desire.

At any rate, the appointment puts me on the same sort of saluting basis with Al Lichtman, Charlie Pettijohn, Cincinnati Film Row and the entire personnel of the picture business. It makes it necessary to salute Will Hays, who is a general, but unnecessary to take any guff from Colvin Brown, who is only the territorial colonel of a Porto Rican regiment.

Are we laughing with Laffoon?

Regards,
Red Kann.

P. S.—Please send me a southern accent.

The Leading Daily Newspaper of the Motion Picture Industry

MOTION PICTURE DAILY

Alert, Intelligent and Faithful Service to the Industry in All Branches

VOL. 36. NO. 23 NEW YORK, SATURDAY, JULY 28, 1934 TEN CENTS

National Fight Looms On Higher Music Taxes

Warners' 39 Week Report Shows Gains

Loss Down to $558,836 Before Erpi Payment

For the 39 weeks ending May 26, Warner Bros. Pictures, Inc., and subsidiaries show a marked improvement in operating income over the same period last year. The net operating loss was $558,836.69. For the same period in the previous year the loss was $5,021,774.78.

This statement does not reflect the current position of the company, as a settlement of the Vitaphone-Erpi litigation has been reached since that time. In this settlement, made late in June, the company received $2,500,000 cash and three notes for $1,300,000. These notes are payable in installments in 1935, 1936 and 1937.

The operating loss reported for the

(*Continued on page* 3)

New Pathe Finance Plan Made Public

Details of the proposed financial reorganization of Pathe Exchange, Inc., designed to clear up all dividend accruals on preferred and Class A stock and at the same time simplify the financial structure, have been completed by the directors and made public by Stuart Webb, president.

Class A holders will be entitled to two shares of new common for each

(*Continued on page* 3)

Car Strike in Omaha May End by Sunday

OMAHA, July 27.—Exhibitors here were rejoicing tonight at the news that transportation, suspended since Wednesday, when street car men staged a general walkout, might be resumed by Sunday. Hope of this was extended today by R. L. Blume, Federal labor mediator.

The strike, which has paralyzed

(*Continued on page* 3)

Invite Clergy

St. Louis, July 27.—Management of the Fox, in an open letter to the clergy of St. Louis, in the daily newspapers, invited them to attend the first showing at the Fox of "Whom the Gods Destroy."

Say Fraternal Groups to Act In Film Drive

Headway has been reported in the effort to have fraternal bodies ally themselves with the Legion of Decency campaign against objectionable pictures.

H. B. Lamy, Jr., chairman of the Emergency Council of Fraternal Organizations in the United States, said yesterday that he expected favorable action shortly from the Masons, Elks, Moose, Knights of Columbus and other groups throughout the

(*Continued on page* 4)

Hays Gives Report Upon Film Cleanup

M. P. P. D. A. directors heard a report yesterday from Will H. Hays on the progress to date and future plans of the major studios in connection with the industry's film cleanup campaign.

The Hays office meeting was also advised of what was expected of individual companies in the campaign. Hays returned from the coast by plane late Wednesday after supervising the setting up of the new production regulatory machinery. Heads or ranking executives of all major companies attended yesterday's meeting.

Loew's Canada Unit Shifts Fiscal Year

TORONTO, July 27.—Approval of the by-law changing the end of the fiscal year from Dec. 31 to the last Saturday in August was won at a special

(*Continued on page* 3)

Seek Code Aid To Fight Free PictureShows

KANSAS CITY, July 27.—Faced with an increase this summer of merchant-sponsored free picture shows throughout the territory, exhibitors are depending on the local grievance board to eliminate this form of competition by cutting off the film supply. The free show epidemic has been a recurring one every summer, but not until this year, when exhibitors can take recourse through the grievance board,

(*Continued on page* 3)

Duals Again Up in L. A. Zoning Talks

LOS ANGELES, July 27.—Dual bills were discussed at length at the second open session of the clearance and zoning board on the new schedule. Two exhibitors asserted they couldn't get features strong enough to sustain single bills, but the issue was closed. A decision will be rendered later.

Other issues presented included a proposal for Wednesday openings. Distributors insist on Friday openings. Prices also started a wrangle.

Grainger Sets Two Big Canadian Deals

James R. Grainger, Universal sales head, is back from a flying trip to Canada, where he closed with Famous Players Canadian for the entire "U" lineup in 79 situations.

He also stopped off at Montreal and closed with Consolidated Amusement Co. for 20 situations. This is the first deal closed by Consolidated this year, it is said.

Exhibitor Organizations Lining Up to Battle ASCAP Moves

National exhibitor opposition is being marshalled to fight the increased music seat tax which the American Society of Composers, Authors and Publishers is attempting to enforce in its new contracts with exhibitors and which, reliable exhibitor representatives estimate, will cost theatre operators an additional $3,000,000 annually, it was disclosed yesterday.

The ASCAP has been known to be planning its increased taxes on theatres for almost a year, during which it has issued sporadic releases, authored for the organization by Ivy Lee, who was revealed by a Senate committee investigating Nazi activities in the U. S. to have engaged in propaganda work for the Hitler government. The propaganda purported to show the declining revenues of music authors, composers and publishers as a result of the development of radio and talking pictures. Only recently, however, did the ASCAP

(*Continued on page* 3)

Fox Met Officers Not Summoned Yet

Fox Metropolitan minority bondholders who are seeking a reorganization of the circuit under the new bankruptcy laws have been unable to serve summonses on officers of Fox Met. requiring them to make answer to the reorganization petition, it was stated yesterday by Archibald Palmer,

(*Continued on page* 3)

Beauties Get O. K.

Chicago July 27.—While the thermometer registered 105 degrees to hang up an all-time record for the city, it took the local grievance board only a few minutes to decide that the complaint of Ben Bartlestein, Annette Theatre, Cicero, against Schoenstadt's Palace, also Cicero, for holding a bathing beauty contest did not constitute a violation of the code and was permissible—in fact, not a bad idea in the opinion of the perspiring board members.

Support Clean Pictures, Urges a Woman Exhibitor

KANSAS CITY, July 27.—Challenging the sincerity of the reformers and demanding that they support clean films and not merely agitate for them, Mrs. Gladys E. McArdle, who operates the Owl Theatre in Lebanon, Kan., presents the exhibitor's viewpoint in a letter published in "Speaking the Public Mind" column of the *Kansas City Star.*

While dozens of letters have ap-

(*Continued on page* 4)

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Advertising Manager

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RKO Wins Its Seventh

RKO's baseball team has hung up its seventh straight win by defeating Columbia, 4-1, in the M. P. Baseball League. The game was played at Recreation Park with Dahler and Yudow the RKO battery. The next game for the team will be with the National Process Co. today.

Transfer Stanley Lease

The lease on the Stanley, Jersey City, has been transferred from the Hudson Plaza Holding Co., Inc., of Jersey City, to Fabian Enterprises, Inc., a Delaware corporation, and the Station Holding Corp. of New York.

Julia Wolpin to Marry

Julia Wolpin, aide to R. B. Simonson, assistant treasurer of Fox, will be married Aug. 5 to Jay Cohen. They will spend their honeymoon in the Thousand Islands.

Miss Stuart to Wed

Hollywood, July 27.—Gloria Stuart has gone to Agua Caliente to be married Sunday to Arthur Sheekman, scenarist.

Richmond Colonial Dark

Richmond, July 27.—The Colonial, Wilmer & Vincent house, has been closed for the summer.

Roxy Makes New Cut

The Roxy will make another cut in its scales tonight. All seats after 10:30 P. M. will be 35 cents.

Hollywood Personals

Hollywood, July 27.—Hal Roach has gone fishing at Catalina for a few days. . . . John Krimsky, co-producer of "Emperor Jones," is in town at the Beverly Wilshire. . . . Henry Wilcoxen will play the male lead in "Shoe the Wild Mare" at Paramount. . . . Maureen O'Sullivan has left by plane for Seattle on the first leg of her trip to Ireland. . . . Barbara Kent will spend the summer in Europe before beginning her M-G-M contract in October. . . . Roach has employed four six-hour shifts of laborers to rush construction on the sets for "Babes in Toyland."

Wometco Sues U. A. Over "Rothschild"

Atlanta, July 27.—Entering suit in federal court here against United Artists, Wometco Theatres, Inc., of Miami, Fla., claims $50,000 possible loss on the alleged withholding of "The House of Rothschild" from the Miami, Miami Beach and West Palm Beach theatres by the former company after a contract had been entered for first and subsequent runs.

The suit sets out that, after the first run and subsequent run contracts had been signed, the picture was lifted into the roadshow classification and exhibited in Miami by Dade Enterprises, Inc., and plaintiffs were notified that they could not run the picture until the lapse of 120 days.

When asked to comment on this suit Al Lichtman, vice-president of United Artists in charge of distribution, said that the matter had been referred to Driscoll, O'Brien and Rafferty, the company's attorneys.

Ontario Government Will End Film Work

Toronto, July 27.—Premier Mitchell Hepburn said today that the Ontario government would end its film production as an economy move.

"We have been producing only second rate pictures and might as well wipe it out," he said.

The studio at Trenton, Ont., has been closed and Major George E. Patton, director for many years, and his staff have been given notice.

Ontario has paid $22,412 in salaries, apart from operating costs. The productions have included scenic, game, farming and industrial films.

Educ'l Shifts Lab Contract to De Luxe

Educational's film laboratory work has been transferred to De Luxe Laboratories, a Fox affiliate, since the expiration of Educational's laboratory contract with Consolidated Film Industries recently, E. W. Hammons, Educational president, said yesterday.

Hammons stated the laboratory switch had no significance other than Educational's "natural desire to work cooperatively with the Fox organization."

Lesser-Zanft Select Atherton Firm Name

Hollywood, July 27.—The Sol Lesser-Major John Zanft combination producing George O'Brien pictures has adopted the trade name of Atherton Prod., Inc. After completion of the first picture, "The Dude Ranger," Lesser, O'Brien and Director Eddie Cline will leave Hollywood the middle of August to make a second to be called "Cowboy Millionaire."

Melniker Starts Back

Atlanta, July 27.—William Melniker, South American sales manager for M-G-M, and a brother of Eddie Milniker, Loew's Grand manager here, and wife, who have been guests of Mr. and Mrs. Eddie Melniker, have left for New York, from where they will sail in a few days for his station in the tropical regions.

Dave Miller Ill

Buffalo, July 27.—Dave Miller, Universal exchange manager and chief barker of the Buffalo Variety Club, is seriously ill.

Columbia Up One on Big Board

	High	Low	Close	Net Change	Sales
Columbia Pictures, vtc	23¾	22	22½	+1	600
Consolidated Film Industries	2⅜	1⅝	2	— ¼	2,700
Consolidated Film Industries, pfd	12½	11½	11½	.....	600
Eastman Kodak	94¾	93¾	93¾	+ ¼	400
Fox Film "A"	9¾	8⅞	9⅛	+ ⅞	900
Loew's, Inc.	23⅛	21⅜	22	+1⅛	6,900
Loew's, Inc., pfd	77½	77½	77½	—1½	100
M-G-M, pfd.	24½	24½	24½	— ½	100
Paramount Publix, cts	2⅜	2¼	3	+ ¼	8,100
Pathe Exchange	1¼	1½	1¼	— ¼	10,800
Pathe Exchange "A"	13⅛	12⅜	12⅝	+ ⅝	1,900
RKO	1¾	1½	1⅝	+ ⅛	2,800
Warner Bros.	3⅝	3	3½	+ ½	9,600

Technicolor Rises One on Curb

	High	Low	Close	Net Change	Sales
Technicolor	11¾	11	11⅛	+1	1,000
Trans Lux	1¼	1⅛	1⅛	— ⅛	500

Many Heavy Gains in Bond Market

	High	Low	Close	Net Change	Sales
General Theatre Equipment 6s '40	6¼	6⅛	6¼	+ ¼	3
Loew's 6s '41, ww deb rights	98½	96½	98½	+2½	3
Paramount Broadway 5½s '51	36¼	36½	36¼	— ½	4
Paramount F. L. 6s '47	40	40	40	+3	2
Paramount Publix 5½s '50	40	38¼	40	+1⅝	59
Warner Bros. 6s '39, wd	51	48¾	50½	+3	42

◂ Purely Personal ▸

ARTHUR LOEW, Howard Dietz, Emil Jensen, Harry Thomas, Jack Goetz, Jack Glucksman, Murray Rosenbluh, William Frankel, Jack Shapiro, Arthur Abeles, Leo Lubin, J. D. Tropp, Morris Kutisker, and Arnold Van Leer were M. P. Club diners yesterday.

Earl Bright, secretary to Will Hays, has been loaned to Joe Breen for an indefinite period to assist with the industry production regulation work.

George C. Popovici, in charge of apparatus and process work at the Eastern Service Studio, Astoria, leaves today on the *Ile de France* for Bucharest, Roumania, on a vacation.

Frank McNeilis, of *New Movie* magazine, became a father for the first time yesterday. Mother and daughter are doing fine.

Joe Morrison, radio star, who made his film debut in "The Old Fashioned Way," is back in town for a short vacation.

William Gaxton, accompanied by his wife, is on his way to New York from the coast aboard the *Santa Rosa*, which docks Monday.

Charles David, studio manager of Pathe-Natan, returns to Paris today aboard the *Ile de France* after several months here and on the coast.

Marie Smith, secretary to Barney Dubinsky, returns to St. Joseph, Mo., today after a vacation here.

Tess Michaels of the U. A. publicity department is on a three weeks' trip to the coast.

Russell Spaulding, traveler and writer, is due back from a Maine and Canadian trip about Aug. 15.

Frank R. Adams' "Win or Lose" has been purchased by Paramount as a starring vehicle for Bing Crosby.

Emilia Sherman, captain of the Music Hall Rockettes, is on the *Veragua* on a Caribbean cruise.

Film Notables Sail

Film notables will be numerous on the *Ile de France* when it sails today. Among them are: Dr. A. H. Giannini, Fannie Hurst, John Cromwell, Radio director, and Mrs. Cromwell; Lucien Hubbard, M-G-M supervisor and producer; Paul Frawley, actor.

Allen Jury Discharged

Hollywood, July 27.—After deliberating 53 hours the jury which heard the morals charge against Dave Allen, Central Casting Bureau head, was still deadlocked and was discharged by Judge Schauer. Aug. 20 has been set as the date for a new trial.

Brookville House Burns

Brookville, O., July 27.—Fire believed to have been caused by spontaneous combustion backstage at the Pastime, destroyed the theatre and the building in which it is located. Loss is estimated at $60,000.

"U" Buys McGuire Play

Hollywood, July 27.—William Anthony McGuire's unproduced play, "The Saint in the Cellar," has been acquired by Universal.

Seek Code Aid To Fight Free PictureShows

(*Continued from page* 1)

has there been any hope of stamping it out.

Exhibitors report a greater number of small towns in Kansas and western Missouri are this year seeing free shows put on by merchants to attract shoppers from surrounding trade areas. Large crowds attend, it is reported, and the merchants are finding the trade-getters profitable. In many instances the free performances are in direct competition with established theatres, while in some places there is no theatre in operation. Frequently the films are shown in the town square or park.

The grievance board here has established a precedent by ordering a local silent film distributor to cease supplying product to a promoter of a free show circuit in several Kansas towns. The I. T. O. has filed a complaint asking the board to take similar action against exchanges supplying films for a merchant-sponsored show at Lykins square in one of the community sections here. The merchants announced the free shows will be staged every Wednesday night during the summer.

Rosenblatt Summons Writer-Actor Groups

Hollywood, July 27.—A joint meeting of the recently named producers'-actors' and producers'-writers' committees was called for Monday night by Division Administrator Sol A. Rosenblatt today.

About 40 committee members are expected to attend. Rosenblatt plans to complete organizing work of the two groups and start them functioning.

Rosenblatt showed interest in the workings of the Production Code Administration under the direction of Joseph I. Breen, but made it clear the government would not enter into the matter of clean films. "I am merely going to observe the censorship plan of the Hays organization," he said.

During the day Rosenblatt conferred on various code matters.

Detroit Grievance Decisions Rendered

Detroit, July 27.—Two decisions were rendered by the grievance board this week. One, an overbuying complaint by James Minter, Minter Theatre, Owosso, Mich., against Butterfield's Capitol and Strand, was dismissed.

S. J. Marz' giveaway complaint against W. G. Sturgiss, Gem, Saginaw, Mich., was upheld and the practice was ordered stopped within 90 days.

Saginaw Hits Premiums

Saginaw, July 27.—Petitions barring premiums have been circulated here and have been signed by 75 per cent of exhibitors within a three and one-half mile radius of the center of the city, it is said.

National Fight Looms On Higher Music Taxes

(*Continued from page* 1)

attempt to enforce its new drastically increased tax schedules against a theatre organization.

When the new demands of the organization were thus made known, exhibitor leaders immediately formulated an emergency committee which two weeks ago opened negotiations with E. C. Mills, general manager of the society, in an effort to have the increased assessments deferred at least until theatres nationally had recovered more fully from the economic crisis and other disturbing influences affecting exhibition had finally resolved themselves.

Makeup of Committee

On the main emergency committee are Walter Vincent of Wilmer & Vincent circuit, temporary chairman; Ed Kuykendall, president of the M. P. T. O. A.; Charles L. O'Reilly, president of the T. O. C. C.; Sidney Samuelson, president of Allied States; Harry Brandt, president of the I. T. O. A.; Leslie E. Thompson, RKO theatre head; Leopold Friedman, Loew's; Frank Phelps, Warners, and Sam Dembow, Jr., Paramount.

A sub-committee of this group has carried on the negotiations with Mills almost daily for the past two weeks, their principal contention being that this is the wrong time at which to put such drastic tax increases into effect against theatres. It was also the opinion of the committee that the new assessments are "wholly unreasonable and arbitrary."

With the solicitation of publicity for the proposed new tax schedules by Mills yesterday, the sub-committee abandoned hope of obtaining consideration for their views. The sub-committee is scheduled to make its final report on the attempted negotiations with Mills at a meeting of the main committee Monday at which, it is expected, plans for the marshalling of a united national exhibitor front against the proposed new impositions will be formulated.

Exhibition Forces to Mass

It is anticipated that the entire national membership of M. P. T. O. A. and Allied, all of the major national affiliated and unaffiliated circuits and the local exhibitor organizations will line up solidly with the opposition as their leaders are already represented on the emergency committee membership. Exhibitors who are non-members of national or local organizations will also be enlisted in the campaign of opposition, it was said.

Estimates place the annual amount collected from exhibitors by the society under its former schedules at $1,250,000. Under the proposed taxation which increases the seat tax of virtually all classes of theatres three to 10 times, the society would collect $4,000,000 to $5,000,000 annually from theatre owners, it was estimated by exhibitor leaders.

The society prepared for its rate increases some time ago by including in its new contracts with exhibitors a 30-day cancellation clause, denying at that time to exhibitor representatives that it contemplated increases in new contracts which might be substituted under the clause. A few weeks ago the society cancelled its contract with the RKO circuit and presented it the new rate schedule. The new rates were not made public by the society then, as its strategy is reported to have contemplated quiet installation of the new schedules in single organizations and theatres from time to time.

Fox Met Officers Not Summoned Yet

(*Continued from page* 1)

attorney for the petitioning bondholders. Palmer said the organization had been "denuded" of officers since the receivership.

Si Fabian is the only known officer of the old Fox Met. company and process servers have been unable to locate him. Until the summonses are served no answer to the reorganization petition can be required and the bondholders' action can make no progress.

Meanwhile, Loew's and Warners are continuing their discussions with Fox Met. bondholders' committee, which has deposits of more than 85 per cent of the company's bonds and expect to reach an agreement for purchase of the bonds for approximately $4,000,000 in advance of the next scheduled court hearing on the sale, which will be before Judge Julian W. Mack in U. S. District Court Aug. 6.

New Pathe Finance Plan Made Public

(*Continued from page* 1)

A share held, and common stockholders will receive one share of new common for each 20 of the old.

Under the plan, an issue of collateral trust notes will be convertible into new common on the basis of $20 principal amount for each new share. The directors may in their discretion use these notes to retire all or part of the seven per cent debentures totaling about $2,000,000.

"Under the proposed plan," Webb says, "all of the accruals are to be cleared up and the Class A preference stock eliminated, so that no further current dividends will accrue with respect to this class, leaving the only dividends payable prior to the new common stock approximately $56,000 per annum on the new seven per cent convertible preferred. Thus, the new common stock will be in a favorable position with respect to prospects of dividends when and as earnings are available therefor."

Car Strike in Omaha May End by Sunday

(*Continued from page* 1)

travel, is being seriously felt at box-offices. William Singer, manager of the Brandeis, estimated that receipts at his house were cut in half during the first two days of the walkout, while the Blank houses, the Orpheum and World, have had their business affected by more than a third by lack of carrier service, it is reported.

Warners' 39 Week Report Shows Gains

(*Continued from page* 1)

39 weeks ending May 26 was computed after deducting all charges, including interest, amortization, depreciation and provision for Federal income taxes.

The net profit from operations before amortization, depreciation and Federal income taxes was $4,700,147.42. A total of $1,043,816.60 was credited to the deficit account. This represents a profit on the redemption of funded indebtedness, adjustment of income tax reserves of prior years and profit on sale of capital assets. The sum of $475,318.30 was charged against the deficit account as a result of investments in and advances to affiliated companies. The deficit carried to the balance sheet totals $19,537,343.45.

Total assets and liabilities are listed as $166,405,950.25.

Trendle Organizes New Booking Firm

Detroit, July 27.—In addition to the new Detroit Artists' Bureau, Inc., which was announced last week for the purpose of booking vaudeville acts into theatres and other places of amusement, George W. Trendle, president of the United Detroit Theatres (Publix), has announced formation of United Detroit Service, Inc., which will book pictures into his own and other theatres here.

The new combine will operate in opposition to Mid-States Theatres, Inc., which is now booking nearly 100 local and state houses.

L. H. Gardner is in charge, with Arthur Elliott, former film salesman, as his assistant. The combine starts off with three Charles Komer theatres, the Colony, Whittier and Redford; six Sol Krim houses, subsequent runs, and Julius Fischer's Plaza, another subsequent. Trendle refused to say how many other houses had signed up.

First booking was George Olsen's band into Westwood Inn Park.

Another new venture launched by Trendle is a weekly public broadcast for club women in connection with his radio station, WXYZ. Each week he is host to 200 of the women at a luncheon which is preceded by a broadcast, with the women and several style experts and a local society editor taking part.

Loew's Canada Unit Shifts Fiscal Year

(*Continued from page* 1)

meeting here today of the shareholders of Marcus Loew's Theatres, Ltd. Two local directors, F. M. Kimbark and J. W. Bicknell, were named to fill vacancies on the board.

Assurance was given that current dividends would be paid and arrears covered as soon as an improvement in business warranted.

Leopold Friedman was here from New York to attend the meeting.

Say Fraternal Groups to Act In Film Drive

(Continued from page 1)

country. Lamy has already received personal letters of approval of his indorsement of the inter-faith committee's campaign, he said. Among those received are one from Robert Elliott Owens, supreme master of the Masons in New York State and one from Grand Secretary Clancy of the Elks.

"The Emergency Council is against censorship and believes the cleaning up of films must come from within the industry itself to be effective," continued Lamy.

No meeting has been set for the compiling of a national "black-list" of films by the national organizations of churches whose members compose the inter-faith committee, it was revealed yesterday. The meeting will be attended by a committee of priests, headed by Archbishop John T. McNicholas, chairman of the Episcopal Committee on Motion Pictures; the committee of Protestant ministers, of which Dr. Worth M. Tippy is the executive officer, and representatives of the five conferences of rabbis.

Still Sending Out Pledges

The Federal Council of Churches of Christ in America, through Dr. Tippy, is continuing to send out forms of the pledge to be signed in support of the clean picture campaign. The pledges themselves are not being distributed here, but only the form of the pledge, which is being sent to various newspapers, church clubs and other organizations throughout the country.

Methodist ministers in Chicago have taken upon themselves the waging of their own campaign, it was learned yesterday. They are not affiliated with any committee or organization, but are printing their own pledge which is to be sent to 20,000 ministers in the country, who in turn will distribute them among their flocks. It is expected that several million more pledges will be signed in this manner.

The next step in the local campaign will be taken at the meeting of the inter-faith committee on August 6 when the committee will confer with the various sub-committees from districts throughout Greater New York on methods of conducting the proposed house-to-house campaign for pledge signers.

Cincy Church Drive Hits Neighborhoods

CINCINNATI, July 27.—Although the church drive is said to have had more or less effect on downtown houses, the aggregate reaction is considered negligible. The suburban and neighborhood spots, however, especially those located in communities where the Catholic element predominates, have been seriously affected. No approved or "black" lists are published here, but those aligned with the crusade apparently are watching the lists released in other situations, while many are boycotting the theatre entirely, as a matter of general principle, especially since the Legion of Decency had its inception here.

One suburban exhibitor, who knows practically all of his patrons personally, told MOTION PICTURE DAILY that there are cases of persons who, while not having signed the pledge, nevertheless are staying away from his theatre, and patronizing houses downtown, the angle being that there is thus less likelihood of being seen by their neighbors who might criticize them for attending.

TERRE HAUTE, July 27.—The chancery office of the diocese of Indianapolis will soon issue data on various parishes which are going on record in favor of the Legion of Decency. The dead-line for filing these petitions was July 20.

In the meantime, the *Indiana Catholic and Record*, official diocese publication, has instituted a new two column feature, known as "The Screen." The pictures listed have the endorsement of the motion picture bureau of the International Federation of Catholic Alumnae and those reviewed by the paper itself.

SPOKANE, July 27.—The Broadway Baptist Church has gone on record against all films. The congregation, in a resolution, stated its belief "that the moving picture industry is of the devil."

NEW ALBANY, Ind., July 27.—The Legion of Decency has earned 2,000 more backers in this city when members of the parishes of St. Mary's and Holy Trinity willingly affixed their names to the petition circulated here.

WASHINGTON, Ind., July 27.—The chancery offices of the diocese of Indianapolis report 1,475 Legion of Decency pledges have been signed by the members of St. Simon's Church here. Many non-Catholics have also signed the pledges.

EVANSVILLE, Ind., July 27.—The Legion of Decency is being backed in this city by both Protestant and Catholic groups. Mayor Frank W. Griese is in sympathy with the movement and has expressed wishes for its success.

RICHMOND, July 27.—The church drive on films is taking shape in various sections of the state, but has not become violent. In this diocese Mgr. Felix F. Kaup, vicar-general, has sent out letters requesting Catholics to abstain from attending indecent films and to endeavor to learn which films are safe to patronize.

In Winchester more than 1,000 members of Catholic and Protestant churches have signed pledges to "remain away from all motion pictures except those which do not offend decency and Christian morality."

HACKENSACK, N. J., July 27.—Several thousand additional members for the Legion of Decency are expected Sunday in various sections of Bergen County with the announcement that the Bergen Federation of the Holy Name Societies has endorsed the crusade. A further explanation of the Federation's stand will be made at the quarterly session in Ridgefield, N. J., on Aug. 5.

PASSAIC, N. J., July 27.—Nearly 2,000 members of St. Nicholas Catholic Church here have been enrolled in the Legion of Decency, following an appeal by Rev. William V. Dunn and his assistant, Rev. Joseph A. Murphy.

More than 1,000 pledges were signed at the Sacred Heart Catholic Church, in Lyndhurst, where Rev. Thomas J. McDermott is pastor.

EASTON, Md., July 27.—The Del-Mar-Va Lutheran Pastors' Conference has passed a resolution calling upon members of churches of the denomination to stay away from theatres until better pictures are produced. The resolution sets out that no concerted action has been taken by producers to produce decent entertainment and that in some instances advertisements have been more objectionable than the pictures.

WILMINGTON, July 27.—Rev. Disston W. Jacobs, D.D., superintendent of the Wilmington district of the Methodist Episcopal Church, has issued a statement urging his people to refuse to patronize salacious films.

ALLIANCE, O., July 27.—Hollywood itself is making efforts to free pictures of salaciousness, Dr. W. H. McMaster, president of Mount Union College here, told the summer school upon his return from the Pacific Coast.

MOTION PICTURE DAILY'S HOLLYWOOD PREVIEW

"Million Dollar Ransom"

(Universal)

HOLLYWOOD, July 27.—This is fast-moving, breezy comedy, typical of Damon Runyon's writings. The film could easily have been mediocre because of the worn gangster theme, but this has been overcome.

The gangsterism is of the uppercrust type and the story lacks bloodshed until the final scene.

A beer baron is forced out of business through repeal. His associates try to prevail upon him to seek the supposedly more lucrative field of kidnaping, but he turns thumbs down, deciding to play a lone hand and devote the rest of his life to his daughter. His intentions are disrupted when a wealthy young man induces him to kidnap him for a consideration of $25,000 to prevent his mother from going to Europe to marry a gigolo.

The ex-beer baron goes through with the deal, but his former associates muscle in. A thread of youthful romance creeps in between Phillips Holmes and Mary Carlisle.

It is well balanced screen fare.

Director Murray Rothe has done a good job and William R. Lipman, adaptor, deserves credit. The supporting cast is strong. It includes Edward Arnold, Wini Shaw, Andy Devine, Marjorie Gateson and Edgar Norton. Running time, 64 minutes.

"Ladies Should Listen," Thursday's preview at the Paramount, was reviewed by wire from Hollywood on July 6.

"Paris Interlude," yesterday's opener at the Capitol, was reviewed by wire from Hollywood on July 7.

"She Learned About Sailors," Thursday's preview at the Roxy, was reviewed by wire from Hollywood on June 12.

"Hat, Coat and Glove," Thursday's opener at the Radio City Music Hall, was reviewed by wire from Hollywood on July 14.

Showwoman Asks Support Of Clean Film

(Continued from page 1)

peared in the *Star* approving the boycott movement and while the news columns of the local dailies devote much space to statements by the clergy and other screen critics, Mrs. McArdle's letter was the first public expression by the industry in this territory on the clean film agitation. It caused considerable favorable comment among Kansas City exhibitors and film men.

"As a small town exhibitor," said Mrs. McArdle, "I have been following with interest the crusade being launched by churches to clean up the movies. No one despises a risque show more than I do, but if I booked the kind of shows the reformers say they want I would starve.

"Last winter I booked, against my better judgment, 'Little Women.' I never saw a cleaner, better show, but did the advocates of clean shows come? They did not, and 'Little Women' took a box-office nose dive equalled only by 'Cavalcade,' 'The Working Man,' 'The Adopted Father,' 'Gabriel Over the White House,' 'My Pal, the King,' 'Emma,' and practically all the clean shows I have booked.

Back Pledge, She Urges

"A pledge to boycott immoral shows is fine, so far as it goes, but how about a pledge to attend shows they say they desire? If every person in my community who professes to desire clean shows would buy two tickets a month they could make the rotten shows unprofitable. I have found out, to my sorrow, if I would keep the padlock off the door, I have to book the kind of shows my patrons desire, not the kind the reformers advise. If the churches are sincere in this movement, let them get back of the clean shows."

The woman exhibitor's letter was signed with her initials, "G. E. M."

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Marie Dressler Rites Are Set For Tomorrow

Body of Actress, 64, to Lie in Glendale

Marie Dressler

HOLLYWOOD, July 29.—The Sabbath gaiety was subdued in Hollywood today as preparations were being made for the funeral of Marie Dressler, which takes place on Tuesday morning with only those most intimately connected with the actress in attendance.

Miss Dressler will be laid at rest in a crypt at Forest Lawn Memorial Park, Glendale, following services at the Wee Kirk o' the Heather there. The

(*Continued on page 2*)

No Church Boycott Is Seen in Boston

BOSTON, July 29.—As a result of a 12-hour conference here between Rev. Russell M. Sullivan, S.J., and Martin J. Quigley of New York, representing the organized industry, it is

(*Continued on page 2*)

MPTO Not to Advise Upon Cancellations

ST. LOUIS, July 29.—Exhibitor members are to be allowed to use their own judgment on cancellation requests, says Fred Wehrenberg in explaining title lists sent out by the M. P. T. O. of St. Louis, eastern Missouri and southern Illinois.

Members have been informed, Wehrenberg says, that "The Life of Vergie Winters," "Laughing Boy," "Born to Be Bad," "Kiss and Make Up" and "Here Comes the Groom" are on the disapproved lists of the St. Louis Better Films Council and the Legion of Decency, but what action is taken on showing them is entirely up to individuals.

Mexico City Actors Threatening Strike

MEXICO CITY, July 29.—The actors' and theatre attaches' union is staging a fight here to prevent conversion of

(*Continued on page 4*)

New Clearances Possible If Demanded, Says Campi

Exhibitors in any clearance and zoning territory may obtain new schedules from their local clearance and zoning boards for the 1935-36 season when the boards reconvene next November if there is a sufficiently representative demand for such schedules, it was indicated at Code Authority Saturday in response to mounting criticism in exhibitor circles of the June 13 amendment to the code.

It was stated, however, that Campi believes the hearing of objections to exisiting schedules is preferable to the drafting of new ones under local boards, the assumption being that the first procedure simplifies and expedites the work of the boards, particularly in territories in which there is no serious demand or actual need for new schedules. It was indicated that Campi's actual policy in the

(*Continued on page 4*)

GaumontPlans U. S. Theatres AndExchanges

By BRUCE ALLAN

LONDON, July 29.—Not only does Gaumont British intend to establish the first British nationwide exchange system in the United States, but it also intends to have a Broadway show window and possibly other houses in key spots, declared Jeffrey Bernerd, general manager, yesterday, prior to sailing on the *Aquitania*.

Production is also to be placed on a competitive basis with the United States, he declared, as he considers America 60 per cent of the world market and worth going after.

Bernerd has complete authority to select personnel and organize an exploitation force. A minimum of 25 pictures a year is planned.

According to Bernerd, Gaumont is

(*Continued on page 8*)

New English Films Investments Heavy

LONDON, July 29.—Nearly $5,000,000 has been invested in film and theatre enterprises during the first six months of this year, according to statistics compiled by Jordan & Sons, Ltd.

During this period 120 film companies have been registered with a capital of approximately $3,366,500. Theatre enterprises started are capitalized for $1,344,500.

Wolff Out of Deal For Denver Theatre

DENVER, July 29.—Marco Wolff of Fanchon & Marco, is out of the Denver theatre picture. This happened

(*Continued on page 2*)

Campi Spends $70,846 for First 6 Mos.

Code Authority collections for the first six months of 1934 aggregated $107,145 and total expenses for the same period amounted to $70,846.59, according to the Price, Waterhouse audit just submitted to Campi.

Such audits are required of all Code Authorities by the NRA under an executive order issued recently. Campi is the first of the code authorities to submit its audit.

Economical operation of the industry's code body, including its local boards, is emphasized throughout the Price, Waterhouse report. Total expenditures of the head office here, including rent for the Radio City headquarters and salaries for the staff of 22 employed, were $34,094 for the half-year period. Included in the dis-

(*Continued on page 4*)

Bank Nights Called Lottery in Missouri

KANSAS CITY, July 29.—Latest angle on the bank night agitation here is that the Missouri attorney general has rendered a formal opinion that the nights are a lottery in this state. The opinion was written by Frank E. Reagan, assistant attorney general, and approved by Roy McKittrick, attorney general.

As the situation now stands the

(*Continued on page 4*)

Cameramen to Seek Rosenblatt's Help

HOLLYWOOD, July 29.—Cameramen are waiting to lay their troubles in Division Administrator Sol A. Rosenblatt's lap. Herbert Aller, business

(*Continued on page 4*)

Big Meeting Set Here on Music Fight

Expect 8,000 Theatres To Be Represented

Representatives of exhibitor organizations and circuits comprising approximately 8,000 theatres throughout the country are scheduled to meet here today to map a campaign of opposition to the new schedule of music seat taxes which the American Society of Composers, Authors and Publishers is attempting to put into force and which it is estimated would increase the music tax of virtually every classification of theatre three to 10 times over the present rate of 10 cents per seat.

Exhibitor organizations and circuits already lined up in opposition to the

(*Continued on page 4*)

St. Louis Reports Refusal to Cancel

ST. LOUIS, July 29.—Refusals to cancel pictures listed as objectionable by both the St. Louis Better Films Council and the local Legion of Decency are reported to have been encountered by exhibitors here at exchanges of two national distributors.

The exhibitors seeking the cancellation privilege were advised by the exchange that "on advice of their

(*Continued on page 2*)

Wisconsin Showmen Work on New Unit

MILWAUKEE, July 29.—Organization of a statewide independent exhibitors' organization has been given impetus here with the appointment of a committee consisting of Ross Baldwin,

(*Continued on page 2*)

Cincy's Employment Has Gain of 49.5%

CINCINNATI, July 29.—Employment in 18 selected local industries shows an increase in June of 49.5 per cent as compared with June of last year, according to a survey by the Chamber of Commerce.

The report also shows department store sales for May 13.2 per cent ahead of the corresponding period last year.

Exhibitors feel that this improvement will be reflected in greater attendance as soon as the heat wave subsides.

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Testimony of Holders Of Fox Met. Sought

A petition to examine members of the Fox Metropolitan bondholders' committee and representatives of Loew's and Warners was presented to Judge John C. Knox in U. S. District Court here on Saturday by minority bondholders, who are seeking reorganization of Fox Met. under the new bankruptcy laws in preference to a sale of the circuit to Loew's and Warners.

Judge Knox declined to sign the petition Saturday, but indicated he would do so today after it had been filed with the Federal court clerk.

Here on Reorganization

Elmer C. Rhoden, who arrived in town last week, is here to complete details in the reorganization of Fox Rocky Mountain and Fox Midwest, of which he is head, he revealed Saturday. Beyond this he refused to discuss the purpose of his visit.

Include Admission Tax

ALBANY, July 29.—Separate provisions for admission taxes are contained in Senator John J. McNaboe's sales tax bill now before the Senate. In this respect it is the same as the Fearon-Wadsworth bill last winter.

Anita Page Now Married

HOLLYWOOD, July 29.—Anita Page and Herb Nacio Brown, songwriter, have been married in the Tia Juana City Hall by a justice of the peace.

No Church Boycott Is Seen in Boston

(*Continued from page* 1)

understood assurances were given ecclesiastical authorities that the industry is prepared to assume responsibility for all product completed prior to July 15 when Joseph I. Breen began censoring all Hollywood output. No application of a theatre boycott is expected.

Quigley is understood to have refused to accept a proposal of Father Sullivan that the industry appoint an industry representative for the Boston archdiocese who would have full power to censor films and stop their exhibition here, if objections were raised by the church. This proposal was to cover New England, it is understood. It was pointed out to Father Sullivan that he was inviting the industry to break its contracts with exhibitors, that the proposal would set a precedent for the other 105 Catholic archdioceses and would be an unnecessary expense.

Most of the long conference, it is understood, was devoted to the problem of how possible objectionable features of films made prior to July 15 would be handled. Church authorities are said to be satisfied with the Breen censorship arrangement, but are skeptical about the cancellation privileges recently granted on product against which organized protest is made.

ST. PETERSBURG, Fla., July 29.—The Legion of Decency campaign has been launched here with a mass meeting in the city park. Pledge cards are now in circulation. The cards are also being signed in St. Augustine.

In Tampa all demominations have joined in the move.

CHICAGO, July 29.—Five hundred thousand women will give their support to the Legion of Decency campaign, Bishop Bernard J. Sheil was told by leaders of Catholic women's organizations at a meeting at the Catholic Youth Center.

In addressing the leaders Bishop Sheil said:

"Only an aroused Catholic motherhood can succeed where others fail. There are 250,000 men who have signed the pledge of the Legion of Decency. I say, let 500,000 women take up the cudgel."

ALLIANCE, O., July 29.—"Hollywood itself is making efforts to free motion pictures from salaciousness," Dr. W. H. McAlister, president of Mt. Union College, told the summer school here upon his return from the west coast last week. "There has been an improvement in standards of taste and decency," he declared.

Wisconsin Showmen Work on New Unit

(*Continued from page* 1)

Merril Devine and James Boden to contact prospective members.

Providing they are assured of the sincerity of exhibitors not now affiliated with Allied and wishing to join the new independent organization, present officers and directors of the Allied Independent Exhibitors' Ass'n. of Wisconsin will resign to permit the election of a new slate of officers and the selection of a new name for the group.

The Milwaukee group is now sponsoring its own advertising column under the banner of "Independent Theatres" with 22 houses listed as against the same number of houses advertising under the "At Your Naborhood Theatre" heading, which is handled by the M. P. T. O. of Wisconsin. Six theatres have left the latter classification, which also includes circuits, to join the former.

Wolff Out of Deal For Denver Theatre

(*Continued from page* 1)

when the court, at the request of the receiver of the Orpheum, cancelled the lease held by the Welton Theatres Corp., formed last year by Harry Huffman and Marco.

Huffman and Marco entered into partnership to furnish a Denver spot for F. & M. shows, but for the past three months these have been out, because of dwindling grosses.

Huffman has formed Centennial Theatres, Inc., for the purpose of negotiating for the house, which has been ordered sold by Aug. 21 for the benefit of the U. S. National Bank of Denver which holds a judgment for $550,000. The court has ordered that bids must be at least $400,000 to be considered. Huffman says the deal for him to continue operation of the theatres has practically been completed.

Issues Rise on Big Board

	High	Low	Close	Net Change	Salse
Consolidated Pictures. vtc	23⅝	23	23	+ ½	400
Consolidated Film Industries	2¼	2	2¼	+ ¼	200
Consolidated Film Industries, pfd	11¾	11½	11½	.....	300
Eastman Kodak	98	97½	97½	+ ¾	500
Fox Film "A"	9⅝	9½	9⅝	+ ½	200
Loew's, Inc	23	22⅛	22⅝	+ ⅝	3,000
Paramount Publix. cts	3¼	3	3⅛	+ ⅛	1,900
Pathe Exchange	1¼	1	1⅛	— ⅛	2,400
Pathe Exchange "A"	12¾	12	12¾	+ ⅛	1,400
RKO	1¾	1⅝	1¾	+ ⅛	400
Warner Bros	3¾	3½	3⅝	+ ⅛	2,800

Technicolor Up 1¼ on Curb

	High	Low	Close	Net Change	Salse
Technicolor	12½	12¼	12⅜	+1¼	500

Warners Lead Bond Trading

	High	Low	Close	Net Change	Salse
General Theatre Equipment 6s '40	5⅞	5⅞	5⅞	— ⅜	1
Loew's 6s '41. ww deb rights	99	99	99	+ ⅞	9
Paramount Broadway 5½s '51	35¾	35¾	35¾	— ½	1
Paramount F. L. 6s '47	40	40	40	+ ½	5
Warner Bros. 6s '39, wd	51¼	51	51⅛	+ ⅛	30

Marie Dressler Rites Set for Tomorrow

(*Continued from page* 1)

Rev. Neal Dodd, pastor of the Little Church Around the Corner in Hollywood, will officiate. The actress' favorite hymn, "Abide with Me," will be sung by Jeanette MacDonald.

All activity will be suspended and flags will flutter at half-mast at the M-G-M studio during the funeral.

Although it was not unexpected, the death of the actress yesterday afternoon on the Santa Barbara estate of her friends, Mr. and Mrs. Allen Breed Walker, where she was seeking to regain her health, came as a shock here.

Miss Dressler died of cancer attended by complications. She learned of the presence of the disease two years ago, but continued her work at M-G-M until three months ago, when, suffering a breakdown, she retired to the Santa Barbara estate for rest. Although she displayed a vitality and a determination to live that astounded medical men, all hope of saving her was given up three weeks ago.

Miss Dressler was in her 65th year, having been born on Nov. 9, 1869, in Coburg, Canada. She began her career as a chorus girl some 45 years ago and obtained her education through private tutors. In her long service in the show business she saw experience on the screen, stage and in circus and vaudeville.

The actress broke into pictures in "Tillie's Punctured Romance," in which she played opposite Charlie Chaplin. Before developing into M-G-M's biggest box-office attraction, she lent her talents to films turned out by First National, Fox, Christie, RKO and United Artists. Her success in pictures came after years of struggle for recognition and was as dramatic as any of the roles she essayed in pictures.

Two years ago Miss Dressler won the Academy of M. P. Arts and Sciences award as the best actress of the year. She was chosen by *Motion Picture Herald* as the biggest money-making star in pictures for two successive years, 1932 and 1933.

Miss Dressler was also a member of Code Authority, having been named by President Roosevelt.

St. Louis Reports Refusal to Cancel

(*Continued from page* 1)

New York legal departments they were obliged to require exhibitors to play or pay for the films in question," but could take the matter to the local grievance board if they so desired. Pending a final ruling from the board, it was said, the cancellations would not be authorized by the exchanges.

Representatives of national distributors here when questioned on the St. Louis reports of cancellation refusals were inclined to doubt the statements credited to the exchange managers, pointing out that instructions sent them on the cancellations edict would recognize as bona fide the objections to exhibition of the two St. Louis groups named and that, if the circumstances are as represented, there should be no necessity for appeal to the local grievance board.

NOW PLAYING . . RADIO CITY MUSIC HALL

HAT, COAT and GLOVE

with

RICARDO CORTEZ

BARBARA ROBBINS
JOHN BEAL
Directed by Worthington Miner
Pandro S. Berman, Executive Producer

The attorney for the defense KNEW his client was innocent . . . but could PROVE he was guilty, with a HAT . . . a COAT . . . a GLOVE!

He wanted him dead! . . . but fought for his life! . . . knew he was innocent of murder! . . . but GUILTY of stealing his own wife's love!

RKO RADIO PICTURE

ADD ANOTHER TO RKO-RADIO'S MID-SUMMER LIST OF MONEY-MAKING ATTRACTIONS

"We're Rich Again", "Of Human Bondage", "Bachelor Bait", "The Life of Vergie Winters", "His Greatest Gamble", "Cockeyed Cavaliers", and soon "Down To Their Last Yacht", Lou Brock's successor to "Flying Down to Rio".

Campi Spends $70,846 for First 6 Mos.

(Continued from page 1)

bursements here, in addition to rent and salaries, are the following items:

Transportation and hotel expenses of traveling members of Campi, $4,053; furniture and fixtures, $2,921; office equipment, $1,568; printing, $2,992; postage, $1,799; telephone and telegraph, $1,402; office supplies, $740. Salaries in the head office, aggregated $16,399 and rent $1,343.

Total half-year disbursements of 32 local boards amounted to $36,752. The Hollywood offices, with expenses of $4,210, ranked next to Campi headquarters in disbursements. The New York local boards were next with disbursements of $2,821. All other local boards were under $2,000 in expenditures for the six-month period.

Payments by exhibitors aggregating $70,245 in first half assessments and advances from producers and distributors of $36,700 against their first half assessments were the principal items in receipts. The basis of exhibitor assessments was completed and statements mailed out first. The basis for assessment of producers, distributors and independent and state right exchanges was completed only recently and statements to those code signers have not yet been sent out.

Yamins Loan Repaid

A loan to Campi of $200 by Nathan Yamins, Code Authority member, is listed under receipts and has been repaid, the audit shows.

Since June 30, the end of the period covered by the audit, exhibitors have paid in additional assessments amounting to $7,428, and additional advances of $13,000 have been made by producer-distributors against their first half assessments.

The initial producer-distributor advances to Campi for it early expenses were supplied in the following amounts: $8,000 each by Fox, M-G-M and Warners; $4,000 each by Paramount and Universal; $2,000 each by Columbia and RKO; $500, Monogram, and $200, M.P.T.O.A., the last amount to be refunded to the organization. Campi's cash balance on June 30 was $36,098. Campi's annual budget is fixed at $360,000, half of which is assessed to exhibitors and half to producers and distributors.

Monthly expenditures for the last half of the current year are expected to average between $25,000 and $30,000, as against the $11,800 average for the first half, due to the fact that the organizing period is now over and operations will be in full force during the remainder of the year.

Cameramen to Seek Rosenblatt's Help

(Continued from page 1)

manager of the I.A.T.S.E. cameramen's union, is pressing for some kind of an NRA stand on what he declares is an effort of producers to force cameramen into the American Society of Cinematographers.

Richard L. Strange, former member of the original studio labor board, says he intends to ask why studios are allowed to work assistant cutters overtime and to ask an explanation of the reclassification of grips as standbys with pay at 75 cents an hour, instead of $1 as prescribed in the code.

Rosenblatt is having little to say about his plans. He lunched with Jack L. Warner and B. B. Kahane at Radio studio following his arrival and then said he would confer with Joseph I. Breen to see how the industry's self-censorship plan was working out.

"I am merely going to observe it," he said, "as I am interested in the work."

Kansas City Board Approves Ad Passes

Kansas City, July 29.—Because it determined that passes had been distributed for advertising, the grievance board has dismissed a complaint brought by Mrs. A. Baier against the Mokan.

The board held an exhibitor should have the privilege of giving passes for window space, etc., and such passes could not be considered reduced admissions.

Robert Rhoades, Gillham Theatre, was ordered to stop nickel admissions for children's Big Brother Club Saturday matinees.

Omaha Board Orders End of Free Shows

Omaha, July 29.—Free admissions to childrens' morning matinees were ordered ended by the grievance board following hearing on a complaint against the Wall, operated by Scott Wall at Fremont, Neb. Complainant was the Central States Corp., headed by Ralph Blank.

Wall is said to have furnished nickels to the kids himself. At the hearing, Wall offered an affidavit from a Fremont citizen, asserting the latter was the donor of the nickels. The board refused to accept the affidavit and ordered the hearing ended with a warning to Wall to desist.

Cullman to Complain

Howard S. Cullman, receiver for the Roxy, said Saturday that he would file a complaint with the local grievance board charging that the Mayfair is continuing the practice of distributing reduced admission certificates, admitting the holder of one to the theatre for 15 cents, in violation of a cease and desist order issued by the local board following a hearing of Cullman's original complaint some time ago.

Extras' Claims $1,365

Hollywood, July 29.—According to Mabel Kinney, head of the extras code standing committee, claims totalling $1,365 have been paid extras since May 1.

More Studio Expansion

Hollywood, July 29.—With the completion of Columbia's $50.000 three-story electrical shop building, plans for the remainder of the studio's expansion program are on. The second building, to be fire and earthquake-proof, will house trailers, special effects, paint, electrical and other departments.

New Clearances Possible If Demanded, Says Campi

(Continued from page 1)

matter has not been definitely decided and may not be until fall.

The June 13 code amendment makes it optional for Campi to direct the local clearance and zoning boards to confine their activities to the hearing of complaints against existing schedules or to direct them to draft new schedules. What Campi will actually do in the matter, it was indicated, will very likely be determined solely upon majority exhibitor wishes in individual territories.

The code amendment originated in an emergency resolution of Code Authority adopted last February in order to expedite the setting up of schedules in time for the opening of the new selling season. In making it an amendment to the code the emergency measure became a permanent fixture to be used at Campi's discretion.

The text of the amendment follows:

AMENDMENT TO CODE OF FAIR COMPETITION FOR THE MOTION PICTURE INDUSTRY

A new subsection (c) to be added to Article VI, Part I, Section 7:

(c) Local Clearance and Zoning Boards, in addition to the powers and duties otherwise provided for in this Code shall, when directed so to do by the Code Authority, receive any and all protests from Motion Picture Exhibitors against any existing clearance and zoning as to their respective theatres alleging that such clearance and zoning is unreasonable in length or area. The issue raised by such protests shall be decided by the Local Clearance and Zoning Boards after notice and hearing to the parties affected and pursuant to the procedure and subject to such rights of appeal as are provided in this Article. The Code Authority may direct that the duties of the Local Clearance and Zoning Boards shall be performed and discharged by the hearing and deciding of protests as provided in this Subsection, instead of formulating schedules as provided in Article VI, Part 1, Sections 1 and 3.

Bank Nights Called Lottery in Missouri

(Continued from page 1)

grievance board has ruled against the practice, the attorney general of Kansas says they are not a lottery, and in St. Louis the grievance board has ruled for them where it is shown ticket holders do not have to purchase admissions to theatres.

Saginaw Bans Giveaways

Saginaw, July 29.—Exhibitors here have voted almost unanimously against giveaways of dishware, silver, china, etc. There are 15 theatres in the town, four of them Butterfield houses. The new ruling covers a three and a half mile radius.

Kronick Joins Franklin

Howard H. Kronick, formerly vice-president of the Bank Corp. of the U. S., and recently an associate of S. A. Lynch in Paramount, has joined J. J. Franklin's theatrical venture in Hawaii.

Big Meeting Set Here on Music Fight

(Continued from page 1)

new assessment schedule are represented by the following members of an emergency committee created to safeguard exhibitor interests during the preliminary moves of the A. S. C. A. P.: Walter Vincent of Wilmer & Vincent circuit, temporary chairman; Ed Kuykendall, M. P. T. O. A.; Sidney Samuelson, Allied States; Charles L. O'Reilly, T. O. C. C.; Harry Brandt, I. T. O. A.; Leslie E. Thompson, RKO; Leopold Friedman, Loew's; Frank Phelps, Warners, and Sam Dembow, Jr., Paramount.

Several thousand additional exhibitors who are not members of exhibitor organizations or affiliated with circuits represented on the committee are expected to be enrolled in the campaign of opposition to the music tax increases immediately, completing what will probably be the largest national exhibitor front ever marshalled for a single objective.

Meetings with Mills Held

A sub-committee of the exhibitors' emergency committee has held a number of meetings with E. C. Mills, general manager of the A. S. C. A. P., during the past two weeks attempting to negotiate a deferment of the new tax increases until theatres are again on a sounder financial footing or, that failing, to negotiate a more equitable schedule with the society than the one arbitrarily sponsored by it. The failure of their efforts was admitted Friday when Mills without advising the committee, solicited publicity for the new schedules. The committee had requested those trade papers which were aware of its activities to refrain from publishing accounts of the meetings for fear of rupturing the negotiations in progress.

Cleveland, July 29.—Enforcement by the A. S. C. A. P. of its contemplated new music seat tax schedules will probably lead to amendment of the copyright laws more quickly than anything that has yet developed in the music tax field, Martin G. Smith, Toledo, president of the I. T. O. of Ohio, told members at a meeting of the organization here yesterday.

Amendment of the copyright laws, he believes, would result in more equitable music assessments for exhibitors than have been enforced in the past.

Mexico City Actors Threatening Strike

(Continued from page 1)

the Iris and Politema into film houses early in August. They are threatening a strike which might involve film houses generally.

Back pay claims are being made against both houses.

Some talk is heard that the National Theatre, which took 30 years to build and cost $5,000,000, may exhibit films to get onto a paying basis. The talk is scoffed at by the Ministry of Education, which says the theatre is being subsidized for drama, symphony orchestra concerts and art exhibits.

Brilliant PERFORMANCE

EVERY fine performance on the screen depends upon certain earlier performances . . . not by the cast alone, but by the film in the camera. Because of the dependability and artistic opportunity it affords . . . because of its unfailingly brilliant performance . . . most cameramen and producers prefer Eastman Super-Sensitive Panchromatic Negative with gray backing. Eastman Kodak Company, Rochester, New York. (J. E. Brulatour, Inc., Distributors, New York, Chicago, Hollywood.)

EASTMAN *Super-Sensitive*
Panchromatic Negative

Minneapolis Takes Hit by Martial Law

MINNEAPOLIS, July 29.—Martial law as a result of the teamsters' strike has hit grosses here. Theatres have been ordered closed at midnight and parking in the Loop is banned.

As a result, all the good business of the week was done in St. Paul. "Here Comes the Navy" hit $6,000 at the Paramount there and "Baby Take a Bow" had a strong $4,000 at the Riviera. The only par attraction in Minneapolis was "Whom the Gods Detroy," which reached $5,500 at the RKO Orpheum.

Minneapolis' five houses, which generally take $18,500, grossed $17,000 while St. Paul's four, generally getting $14,000, took $15,500.

Estimated takings:

Minneapolis:

Week Ending July 26:

"BABY TAKE A BOW" (Fox)

CENTURY—(1,000), 25c-40c, 7 days. **Gross:** $3,500. (Average, $4,000)

"KISS AND MAKE UP" (Para.)

LYRIC—(1,238), 20c-25c, 7 days. **Gross:** $1,000. (Average, $1,500)

Week Ending July 27:

"WHOM THE GODS DESTROY" (Col.)

RKO ORPHEUM—(2,900), 25c-50c, 7 days. **Gross:** $5,500. (Average, $5,500)

"HERE COMES THE NAVY" (Warners)

STATE—(2,300), 25c-40c, 7 days. **Gross:** $5,000. (Average, $5,500)

"SOVIETS ON PARADE" (Foreign)

WORLD—(400), 25c-75c, 7 days, 2nd week. **Gross:** $2,000. (Average, $2,000)

St. Paul:

Week Ending July 27:

"HERE COMES THE NAVY" (Warners)

PARAMOUNT—(2,300), 25c-40c, 7 days. **Gross:** $6,000. (Average, $5,500)

"BABY TAKE A BOW" (Fox)

RIVIERA—(1,200), 25c-40c, 7 days. **Gross:** $4,000. (Average, $3,500)

"RETURN OF THE TERROR" (F.N.)

RKO ORPHEUM—(2,000), 20c-40c, 7 days. **Gross:** $4,000. (Average, $4,000)

"KISS AND MAKE UP" (Para.)

TOWER—(1,000), 15c-25c, 7 days. **Gross:** $1,500. (Average, $1,500)

Fisher Goes to Duals

DETROIT, July 29.—For the first time in months the Fisher has gone to duals. It's current program is "Thunder Over Mexico" and "I Give My Love."

To help maintenance of proper air conditions in the theatre the year 'round

AIR CONDITIONING CHARTS

Fit the pocket or may be tacked on wall. Only limited number available. Order now. Price 25 cents.

BETTER THEATRES
1790 BROADWAY NEW YORK

MOTION PICTURE DAILY'S HOLLYWOOD PREVIEW

"Now and Forever"

(Paramount)

HOLLYWOOD, July 29.—This is a colorful romance tinged with father and child drama. It is human and emotion-stirring yet so relieved with comedy that wide audience appeal seems assured. Story, cast and production values are intelligently and forcibly balanced.

The story, given a unique, sympathy-stirring twist, revolves around Gary Cooper; his partner in crime, Carole Lombard, and Cooper's motherless child, Shirley Temple. It tells of understanding love between father and child that inspires him to honesty, yet drives him to crime and death. Audiences know the arrangement between child and father cannot persist, yet they feel its power as it runs from laugh-generating tomfoolery to pathos. Even the tragic ending seems logical if not box-office, as spectators know the child will receive care.

Cooper is presented in a hitherto unrevealed characterization in a restrained role. Miss Lombard is convincing. Shirley Temple's audience appeal needs no explanation. The supporting cast, Sir Guy Standing, Charlotte Granville and Guy Emery, is satisfactory. Running time, 82 minutes.

Looking 'Em Over

"Oro y Plata" ("Gold and Silver")

(Inter-Continent Film Corp.)

A creditable piece of work, this Spanish-language production, made in Mexico by Hispano Mexicano Cinematografica, S. A., should be first-rate entertainment for those who possess a command of the tongue. It can be of little interest to purely American audiences since it has not a single English title.

The film is beautifully mounted and reflects Hollywood technique to a substantial degree. Particularly does the production excel in photography. The camera work, credited to an American, Ross Fisher, deserves no end of praise. In this department the film challenges the best Hollywood has to offer.

The story, although extremely familiar, is well told. It tells of the children of two mortal enemies falling in love with each other. When the son of one gets the daughter of the other with child, he believes he has had his revenge at last. The father does all in his power to kill the boy's love for the girl.

When the youth, defying his parent, returns to the girl begging forgiveness, her father decides to settle with his enemy by slaying the boy. But he cannot bring himself to do it and makes his peace with the youth. As he embraces him, a shepherd who has been the girl's guardian fires on him. The fadeout shows the lad expiring in the girl's arms.

The players, who act capably, include Carmen Guerrero, Adolfo Giron, Alfredo Del Diestro, Antonio R. Frausto, Julio Villarreal, Domingo Soler, Beatriz Ramos and Lolita Camarillo. Ramon Peon directed. Running time, 88 minutes.

"Song at Eventide"

(Butcher-Argyle Prod.)

LONDON, July 13.—This is another of the series built on popular airs which Butcher's have sold successfully here. Here the musical piece is Easthope Martin's "Evensong" and there is some really admirable singing, the performers including Frank Titterton, a first rank tenor, and the Lay Vicars of Westminster Abbey Choir.

The story is of a somewhat old-fashioned type, but Fay Compton has considerable appeal as a passée singer who gets down to crowd work. Too British in atmosphere and accent, probably, for America but a very little extra care in production would have made it a useful small town booking. The picture was directed by Harry Hughes and also features Nancy Burne and Leslie Perrins.

Conn Heads New Firm

HOLLYWOOD, July 29. — Maurice Conn is listed as president of a new producing company to make eight all outdoor James Oliver Curwood stories. The first will be "Footprints," starring Kermit Maynard, younger brother of Ken.

Publishing House Organ

HOLLYWOOD, July 29.—The first edition of the *Hal Roach Funnies* has appeared and will be distributed monthly to exhibitors. It consists of four pages, 60 per cent pictorial and 40 per cent news, on Roach activities. Sam W. B. Cohn is editor.

"Navy" Holds As Boston's Grosses Slip

BOSTON, July 29.—Grosses slipped to a new low for the year last week, only one house, the Metropolitan, with "Here Comes the Navy" and a stage show, reaching par, $28,000.

Total first run business was $81,000. Average is $94,000.

Estimated takings for the week ending July 26:

"CHARLIE CHAN'S COURAGE" (Fox)
"EMBARRASSING MOMENTS" (Univ.)

BOSTON—(2,900), 25c-50c, 7 days. **Gross:** $13,000. (Average, $16,000)

"CIRCUS CLOWN" (F.N.)
"GREEN EYES" (Chesterfield)

FENWAY—(1,800), 30c-50c, 7 days. **Gross:** $7,000. (Average, $9,000)

"WHOM THE GODS DESTROY" (Col.)

KEITH'S—(3,500), 30c-50c, 7 days. **Gross:** $13,000. (Average, $16,000)

"STAMBOUL QUEST" (M-G-M)

LOEW'S STATE—(3,700), 35c-50c, 7 days. **Gross:** $14,000. (Average, $16,000)

"HER COMES THE NAVY" (Warners)

METROPOLITAN — (4,350), 30c-65c, 7 days. Jack Powell, Ralph Kirbery and radio stars. **Gross:** $28,000. (Average, $28,000)

"CIRCUS CLOWN" (F.N.)
"GREEN EYES" (Chesterfield)

PARAMOUNT—(1,800), 30c-50c, 7 days. **Gross:** $7,000. (Average, $9,000)

"Navy" Grabs Heavy $9,000 In Cleveland

CLEVELAND, July 29.—"Here Comes the Navy" was the heavy grosser here last week. It ran up to $9,000 at the Hippodrome, over par by $4,000, and was held for a second week.

Business was surprisingly good all along the line. "Baby Take a Bow" held up to $8,500 in its second week at the RKO Palace, "Bulldog Drummond Strikes Back" was over par with $11,000 at the State and "Here Comes the Groom" was even with $4,000 at the Stillman.

Total first run business was $32,500. Average is $29,000.

Estimated takings for the week ending July 27:

"HERE COMES THE NAVY" (Warners)

WARNERS' HIPPODROME — (3,800), 30c-35c-44c, 7 days. **Gross:** $9,000. (Average, $5,000). Holding on another week.

"BABY TAKE A BOW" (Fox)

RKO PALACE—(3,100), 30c-35c-44c, 7 days, 2nd week. **Gross:** $8,500. (Average, $10,000)

"BULLDOG DRUMMOND STRIKES BACK" (U.A.)

LOEW'S STATE—(3,400), 30c-35c-44c, 7 days. **Gross:** $11,000. (Average, $10,000)

'HERE COMES THE GROOM" (Para.)

LOEW'S STILLMAN—(1,900), 20c-30c-40c, 7 days. **Gross:** $4,000. (Average, $4,000)

Cuts Keep House Open

SEATTLE, July 29.—Willingness of employes to accept a temporary slash in wages during the next six weeks will result in the Paramount remaining open.

Executives of Evergreen State, had contemplated a six-week shutdown, but this closing plan was abandoned when employes advised Manager Harry Woodin that they were willing to take cuts in order to keep the theatre open.

Stock Bumps Five Denver First Runs

DENVER, July 29.—Competition of the Elitch Stock Co. is cutting in on first runs. The stock company had seven sellouts last week, and all first runs were under normal. Best comparative showing was made by "Dr. Monica," which took $5,500 at the Denver. This was $500 below average.

Some of the other first runs were as much as 50 per cent off. Total first run business was $15,000. Average is $20,500.

Estimated takings for the week ending July 26:

"MIDNIGHT ALIBI" (F. N.)
ALADDIN—(1,500), 25c-35c-50c, 7 days. **Gross:** $1,500. (Average, $2,500.)

"NOTORIOUS SOPHIE LANG" (Para.)
DENHAM—(1,500), 15c-25c-40c, 7 days. **Gross:** $2,500. (Average, $4,000.)

"DR. MONICA" (Warners)
DENVER—(2,500), 25c-35c-50c, 7 days. **Gross:** $5,500. (Average, $6,000.)

"UPPER WORLD" (Warner)
ORPHEUM—(2,600), 25c-35c-50c, 7 days. **Gross:** $5,000. (Average, $6,000.)

"NO GREATER GLORY" (Col.)
PARAMOUNT—(2,000), 25c-40c, 4 days. **Gross:** $700.

"HE WAS HER MAN" (Warners)
PARAMOUNT—(2,000), 25c-40c, 3 days. **Gross:** $500. (Average for week, $2,000.)

"Such Women" and "Chan" Buffalo Top

BUFFALO, July 29.—Brutal heat drove every one to the beaches and all houses were away off. A pair of Warners, Baxter and Oland, in a pair of Foxes, "Such Women Are Dangerous" and "Charlie Chan's Courage," had the best comparative record, coming within $500 of normal at the Century.

Total take was $26,700. Average is $35,500.

Estimated takings for the week ending July 27:

"STAMBOUL QUEST" (M-G-M)
BUFFALO—(3,500), 30c-55c, 7 days Stage: Theo Alban, Paul Gerrits, Georgie Tapps, Sheila Barrett, Clark & Eaton **Gross:** $11,000. (Average, $14,300.)

"SUCH WOMEN ARE DANGEROUS" (Fox)
"CHARLIE CHAN'S COURAGE" (Fox)
CENTURY—(3,000), 25c, 7 days. **Gross:** $5,500. (Average, $6,000.)

"BEYOND BENGAL" (Standard)
HOLLYWOOD—(300), 25c-35c, 7 days, 2d week **Gross,** $300. (Average, $700.)

"HERE COMES THE NAVY" (Warners)
HIPPODROME—(2,100), 25c-40c, 7 days. **Gross:** $4,800. (Average, $8,000.)

"THE MOST PRECIOUS THING IN LIFE" (Col.)
"SING, SINNER, SING" (Majestic)
LAFAYETTE—(3,300), 25c, 7 days. **Gross:** $5,100. (Average, $6,500.)

Cooperative Adds Three

DETROIT, July 29.—Cooperative Theatres of Michigan, Inc., formerly Mid-States, have lined up three more theatres in their group for buying and booking the coming season. The new accounts are: the DeLuxe, East Side house; Stratford, and the Great Lakes, a West Side spot.

Reid Goes to Canton

COLUMBUS, July 29.—Kenneth Reid, for the past two years manager of Loew's Broad, has been transferred to Loew's, Canton, succeeding Ward Farrar, who will be assigned to another house.

"Baby" Holds Up in a Dull Seattle Week

SEATTLE, July 29.—Business was off generally here last week, but "Baby Take a Bow" came nearest to par with $5,800 at the Paramount. This was only $200 off.

"The Thin Man" also made a comparatively good showing with $6,300 in its second week at the Fifth Avenue.

Total first run business was $26,150. Average is $31,000.

Estimated takings for the week ending July 28:

"I GIVE MY LOVE" (Univ.)
"THE LOUDSPEAKER" (Mono.)
BLUE MOUSE—(950), 15c-25c-35c, 7 days. **Gross:** $2,850. (Average, $3,500)

"THE THIN MAN" (M-G-M)
FIFTH AVENUE—(2,450), 25c-40c-55c, 7 days, 2nd week. **Gross:** $6,300. (Average, 1st week, $7,000)

"THE PARTY'S OVER" (Col.)
"VOICE IN THE NIGHT" (Col.)
LIBERTY—(1,800), 10c-15c-25c, 7 days. **Gross:** $3,700. (Average, $4,000)

"THE KEY" (Warners)
MUSIC BOX—(950), 25c-35c-50c, 7 days. **Gross:** $3,400. (Average, $4,000)

"DR. MONICA" (Warners)
MUSIC HALL—(2,275), 25c-40c-55c, 7 days. **Gross:** $4,100. (Average, $6,500)

"BABY TAKE A BOW" (Fox)
PARAMOUNT—(3,050), 25c-35c, 7 days. Vaudeville headed by Lazarus Gardner. **Gross:** $5,800. (Average, $6,000)

Charter New Fox Unit

DOVER, Del., July 29.—Fox Hutchinson Theatre Corp. has been chartered here by David H. Jackman, Jersey City, N. J.; George V. Reilly, New York City, and Arthur W. Britton of West Orange, N. J.

"Baby" Is Record Breaker in Omaha

OMAHA, July 29.—Business was phenomenal last week despite the heat. The Orpheum cracked a record with "Baby Take a Bow," the take clanging the cash register for $9,500, topping "The Thin Man" for the high mark since A. H. Blank took control.

Total receipts were $18,050. Average is $14,800.

Estimated takings:

Week Ending July 25:

"MURDER IN THE PRIVATE CAR" (M-G-M)
"WILD GOLD" (Fox)
WORLD—(2,200), 25c-35c, 6 days. **Gross:** $4,750. (Average, $3,500)

Week Ending July 26:

"BABY TAKE A BOW" (Fox)
"LET'S TALK IT OVER" (Univ.)
ORPHEUM—(3,000), 25c-40c, 7 days. **Gross:** $9,500. (Average, $7,500)

"HIS GREATEST GAMBLE" (Radio)
"WE'RE RICH AGAIN" (Radio)
BRANDEIS—(1,500), 20c-25c-35c, 7 days. **Gross:** $4,500. (Average, $3,800)

Smithkin in Cincy Job

CINCINNATI, July 29.—Albert Smithkin, formerly Warner branch manager at Indianapolis, has been transferred here, replacing Maurice White, who recently resigned to enter the exhibition end of the business. Smithkin was a Warner-First National salesman here before being made manager at Indianapolis.

M-G-M Buys "Prince"

HOLLYWOOD, July 29.—M-G-M has acquired the talking picture rights to "The Student Prince" and is considering Norma Shearer and Ramon Novarro for the principal roles.

Philadelphia Tips $10,000 To "Bulldog"

PHILADELPHIA, July 29.—"Bulldog Drummond Strikes Back," taking a fair $10,000 for the first six days, will hold over at the Stanley for three days, the first holdover for this house in several weeks.

For the first time in several weeks, the Fox, which has stood up well in the face of the heat and the ban, took a shellacking. "She Was a Lady" hit the skids early in the engagement and was yanked after four days. Business, however, took a definite upswing with "Handy Andy." "The Thin Man" did a nice second run trade at the Arcadia.

Total first run receipts were $38,600. Average is $44,900.

Estimated takings for the week ending July 26:

"THE THIN MAN" (M-G-M) (2nd run)
ARCADIA—(600), 25c-40c-50c, 6 days. **Gross:** $2,200. (Average, $2,400)

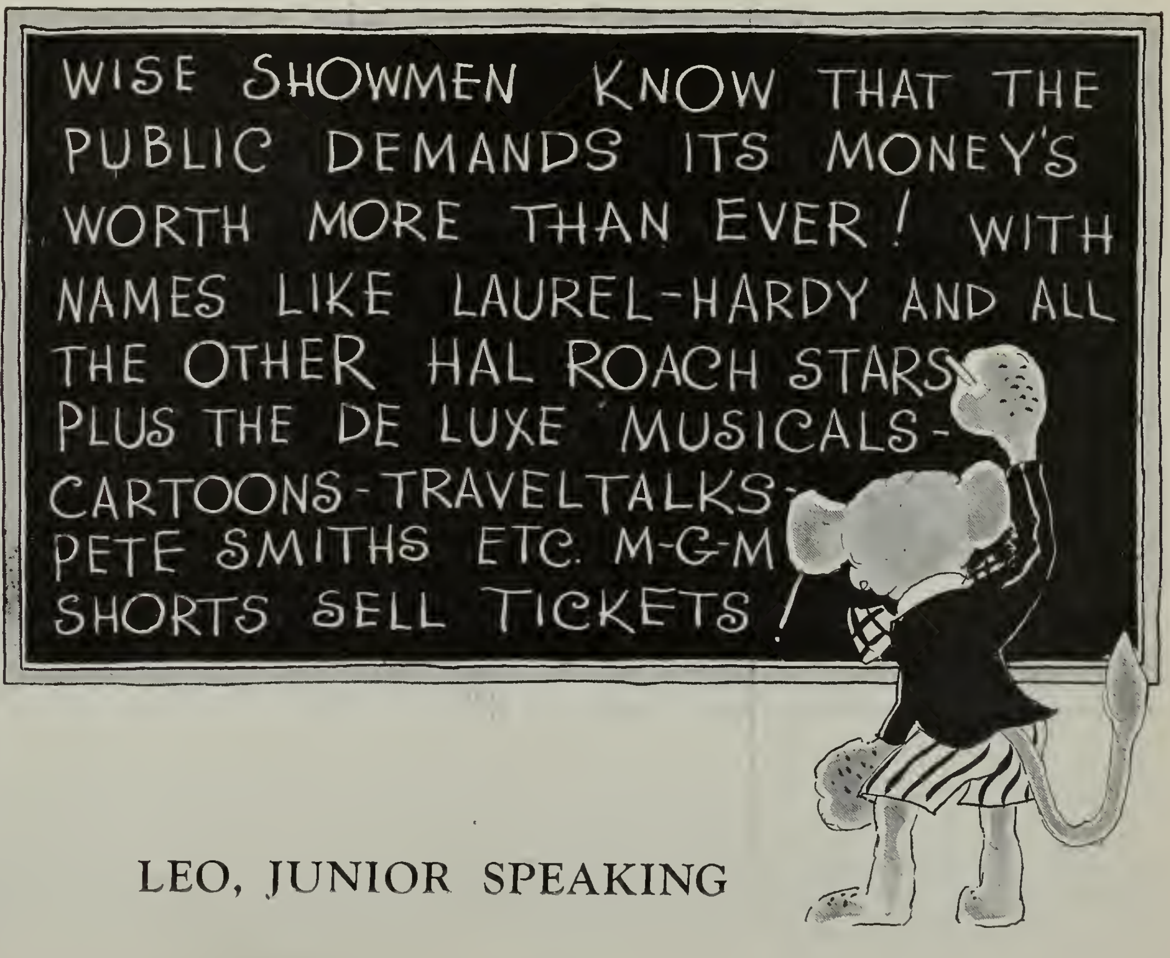
"KISS AND MAKE UP" (Para.)
EARLE—(2,000), 40c-55c-65c, 6 days. Stage: Westchester Hillbillies; Hal Sherman, Helen Honan, Grace DuFaye & Co. **Gross:** $11,500. (Average, $12,000)

"SHE WAS A LADY" (Fox)
FOX—(3,000), 30c-40c-60c, 4 days. Stage: George Prentice, Pete Wollery, Warwick Sisters, Rooney and Gould. **Gross:** $7,000. (Average, 6 days, $12,000)

"LET'S TRY AGAIN" (Radio)
KARLTON—(1,000), 30c-40c-50c, 6 days. **Gross:** $2,200. (Average, $3,500)

"BULLDOG DRUMMOND STRIKES BACK" (U.A.)
STANLEY—(3,700), 40c-55c-65c, 6 days. **Gross:** $10,000. (Average, $12,000)

"MURDER IN THE PRIVATE CAR" (Stanton)
STANTON—(1,700), 30c-40c-55c, 6 days. **Gross:** $5,700. (Average, $7,000)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LEO, JUNIOR SPEAKING

Gaumont Plans U. S. Theatres And Exchanges

(Continued from page 1)

out to compete with American companies for directors, stars and others and will pay American rates, or more. He has no idea of using second or third raters, but is going after the best he can find.

Mark Ostrer, head of the banking firm backing Gaumont British, and C. M. Woolf, managing director, will visit New York soon.

George Arliss has been contracted for two more next year. After returning from Hollywood he will do "Richelieu."

Several American executives have been contacted for key positions, it was stated, but no names will be divulged until deals have been set.

First releases will include "Chu Chin Chow," "Jew Suss," "Little Friend," "Man of Aran" and Arliss in "Wellington."

Zanuck to Extend English Relations

London, July 29 (*By Mail*).—Darryl Zanuck indicated in a press talk that cooperation between 20th Century and London Films was likely to be carried a stage further even than was indicated by Joseph M. Schenck during his recent visit.

Schenck spoke of London using such stars as Colman by arrangement with U. A. Zanuck said he was discussing with Alexander Korda the possibility of signing stars jointly.

Conferences with British & Dominions with a view to assisting the latter in a more effective attack on the American market are another object of Zanuck's visit.

British production in 1935 is going to mean something in the U. S. and Schenck and Zanuck are obviously going to be on the ground floor.

* * *

Carbons are causing more trouble. Recently the Cinematograph Exhibitors' Ass'n made an agreement with Ship Carbons whereby members of the association who sign a year's contract with that firm receive a 15 per cent discount.

This arrangement is being vigorously assailed by other British manufacturers, of course, and the C.E.A. defense that it is a measure of precaution against a new "Carbon ring" reads rather curiously in view of the confident assertions by C. E. A. leaders that carbon prices would fall once the British makers were protected against imports.

The British carbon group has secured the practical exclusion of foreign goods and it is a queer comment upon protectionist theories which inspired that move that the British exhibitor should, apparently, feel more insecure than he did before.

* * *

Gaumont-British News scored one by the announcement that it had been selected as the newsreel to be used by the London Pavilion when it reopens as a U.A. shop window in the fall.

Variety Club Chatter

Cincinnati

Cincinnati, July 29.—One of the chief topics of conversation around the local tent is the narrow escape of Chief Barker Allan Moritz and barkers Si Stewart and Mike Spanagel, when a plane in which they were flying made a forced landing in a corn field about 25 miles from destination.

Joe Kolling, property master of the local tent, is the publicity ace for the forthcoming national convention of the Fraternal Order of Eagles to be held here in August.

Local members are busy familiarizing themselves with the new constitution recently received from the crew of the Big Top.

William Oney spent a week-end in Cleveland, renewing acquaintances with his wife and young son, who have been vacationing there.

Barker John Hennegan assumed the presidency of the Hennegan Co., local show-print house upon retirement of his father recently.

Bill Dodds, second skipper of the RKO Albee, is absent on his two-week vacation.

Kansas City

Kansas City, July 29.—All attendance records for similar events here were broken when more than 400 treked to Ivanhoe Country Club for the annual film outing, sponsored by the M. P. Relief Fund and the Variety Club. Arthur Cole, general chairman, has nothing but praise for the work of the various committees. Chief Barker Frank Hensler was co-chairman.

Starting with a golf tournament in the morning until the last chord of the dance music floated away, there was enough doing all day to draw everyone's interest.

Hensler won the branch manager's race, nosing out Bill Warner. The distributors, captained by Harry Hays, crushed the exhibitors in a kitten ball game, 15 to 0.

The kangaroo court, presided over by "Judge" Leland Hazard, dignified in his robes, was a lot of fun. Edgar Jones and Bill Warner were "coppers." Bernie Bernfield was "stool pigeon."

Harry Taylor's radio voice announced the races via the p. a. system.

Among contest winners were: Beer drinking contest, W. E. Gregory; office managers' race, G. L. Carrington; bookers' race, Elmer Dillon; salesmen's race, R. R. Thompson; exhibitors' race, Clarence Milberger.

Winners in the golf tournament included Charles Knickerbocker, Bill Kubitzki, F. E. Ritter, Jimmie Schorgl, Bennie Benjamin, Jack Stewart, Tom Baldwin, C. J. Zirn, Ralph Morrow, W. E. Gregory, Louie Sutter, William Danbury, A. A. Renfro, W. T. Jenkins, Bob Withers, Jack Truitt, Buck Buchanan, C. S. Jones, J. Erwin Dodson, R. W. McEwan, Jim Lewis, C. A. Schultz, C. E. Sundquist, Ed Hartman, Jack Fitzgerald, Harry Taylor.

Bill Bradfield copped the award for the tournament's worst golfer.

Bennie Benjamin did a swell job rounding up golf prizes. Among donors were E. C. Rhoden, Barney Joffee and Bill Reinke, George Baker, Peck Baker, Ed Dubinsky, National Theatre Supply, Glen W. Dickinson, John McManus, C. A. Schultz, Finton Jones, Bill Fulton, Jack Shriner, Exhibitors' Film Delivery, Leo Finkelstein.

Pittsburgh

Pittsburgh, July 29. — Barker Morty Henderson, formerly managing director of the Duquesne Garden, has just returned from Canfield, O., where he was manager of the dog track. He is soon to leave for California to open a new track for the Tobin-Wolffe Dog Show, Inc.

Barker Jimmy Balmer is completing his vacation at Atlantic City. Not much sun for Jimmy. He remembers his two weeks in the hospital for sun poisoning before.

Barker George Tyson, en route to Pittsburgh from St. Louis, had a minor auto accident. No one injured. He is taking two weeks' vacation with his family before assuming his new position as managing director of the New Harris-Alvin.

Barker Mo Glanz in his fifth week of vacation at Atlantic City. Brown as a berry. Will stay till Sept. 1.

Barker Frank Roberts, now manager for Warners at the Capitol, Steubenville.

Barker Harry Siegal of the Harris-Beechview now on vacation, being relieved by Bob Kimmelman. After his vacation he will relieve H. A. Doman of Jeannette, Hoel of St. Marys and Bowser of Warren. Norman Bailey, formerly assistant manager at the Stanley, will relieve Barker J. O. Hooley of the Harris-Family and Barker Morin of the Penn.

Barker Ben Brown back from a two weeks' vacation in Canada.

Barker Norman Frescott expected in any day now for his annual Pittsburgh summer vacation.

Washington

Washington, July 29.—A. E. Lichtman and George J. Gill were the kings-for-a-day at the weekly luncheon.

Guests included Arthur Reilley, *Washington Herald* Globetrotter, now making a six-minute personal appearance at RKO-Keith's; Bob Hope, comedian, and Alex Morrison, trick golfshot artist, both appearing at Loew's Fox.

Music for the occasion was furnished by the Hi-Hat Hawaiian Orchestra.

John Lancaster, singing clown, was special guest of honor.

British "Roxy" schemed for the St. George's Hospital site at Hyde Park Corner, London, it is said. Plan envisages 6.000 seats, which will beat all British capacity records, and the amount involved, all British money, is said to be $20,000,000.

Judd Joins Midwest

Des Moines, July 29.—Forrest E. Judd, booker for Fox, here for the last three years, has been appointed office manager for the Des Moines and Omaha branches of Midwest Film Distributors, Inc.

"Bulldog" Is Chicago Wow With $21,500

Chicago, July 29.—"Bulldog Drummond" headed the first run parade here with a heavy $21,500 take at United Artists. This is $4,500 over par in the middle of a heat wave and is considered exceptional.

"Of Human Bondage" was also in the big money, piling up $26,000, up by $4,000, at the Palace. It was helped by a stage show.

Others found the going rough. Total first run business was $114,000. Average is $114,000.

Estimated takings:

Week Ending July 26:

"THE OLD FASHIONED WAY" (Para.)

CHICAGO—(4,000), 35c-50c-68c, 7 days. Stage: Pickens Sisters, Wm. & Joe Mandel, Betty Jane Cooper & Lanthrop Bros., Max & Gang, Rudolph Wagner. **Gross:** $30,000. (Average, $34,600)

"VIVA VILLA" (M-G-M)

ORIENTAL—(3,940), 25c-40c, 7 days. **Gross:** $15,500. (Average, $15,000)

"OF HUMAN BONDAGE" (Radio)

PALACE—(2,509), 25c-35c-50c, 7 days. Stage: Art Kassel & orchestra, Nancy McCord, Sammy White, Medley & Duprey, 5 Decardos. **Gross:** $26,000. (Average, $22,000)

"MIDNIGHT ALIBI" (F.N.)

ROOSEVELT — (1,591), 25c-35c-50c, 7 days. **Gross:** $7,000. (Average, $11,000)

Week Ending July 24:

"BULLDOG DRUMMOND STRIKES BACK" (U.A.)

UNITED ARTISTS—(1,700), 30c-40c-60c, 7 days. **Gross:** $21,500. (Average, $17,000)

Week Ending July 28:

"NO GREATER GLORY" (Col.)

STATE-LAKE — (2,776), 20c-25c-35c, 7 days. Vaudeville on stage. **Gross:** $14,000. (Average, $15,000)

Stage Show Return Looked for in N. O.

New Orleans, July 29.—Return of stage shows is predicted here as one way of overcoming the effects of the church drive. As things stand at present downtown first runs take the brunt of the criticism of some films and when they get to the neighborhoods after the first excitement business picks up.

Fox Signs Harry Fox

Hollywood, July 29.—Harry Fox, New York vaudeville artist, has been signed to a writing contract by Fox. The actor, who has been on the coast for the past two months, has no definite assignment.

Warners have signed Florence Fair, New York character actress, to a long term contract. Miss Fair has arrived here by boat.

Charter State Theatre

Albany, July 29.—State Theatre, Dunkirk, Inc., Dunkirk, has been chartered here with capital of 20 shares preferred stock, $100 par value, and 120 shares common stock no par value. Clyde R. Lathrop, Edwin G. O'Connor, Lucile M. Matteson, Brocton, N. Y., are directors and subscribers.

Advance Warner Men

Pittsburgh, July 29.—Dave Brown, veteran Warner booker, has been promoted to the post of shorts booker for the Pittsburgh zone. He succeeds Harry Feinstein, who was made chief booker through the transfer of Max Friedman to Albany.

The Leading Daily Newspaper of the Motion Picture Industry

MOTION PICTURE DAILY

Alert, Intelligent and Faithful Service to the Industry in All Branches

VOL. 36. NO. 25 NEW YORK, TUESDAY, JULY 31, 1934 TEN CENTS

Gaumont Deal On to Acquire Roxy Theatre

Negotiations to Resume With Bernerd Arrival

Negotiations have been started by Gaumont British to acquire the Roxy as its New York showwindow. The deal will provide for a cash buy whereby G-B interests will put up from $2,000,000 to $2,500,000 and also take care of the first mortgage bonds.

Prior to his sailing from London on the *Aquitania*, Jeffrey Bernerd, general manager of G-B, held transatlantic telephone conversations with a representative for the Roxy when preliminary plans were worked out. When Bernerd arrives Aug. 3, he will continue negotiations.

Mark Ostrer, head of the banking

(*Continued on page* 6)

"Take a Bow" Gets $97,250, 4 Weeks

In its four weeks at the Roxy "Baby Take a Bow" grossed $97,250. The run began July 5. The first week's take was $29,000; second, $30,000; third, $20,250, and fourth, $18,000. "She Learned About Sailors," which followed the

(*Continued on page* 4)

Saenger to Retain Plan to Reorganize

The reorganization plans for Saenger Theatres and Saenger Realty Corp. which reduce the circuit to 45 houses will be retained in all essentials when the company is reorganized under Section 77-B of the new bankruptcy laws, it was stated yesterday. Saenger originally operated 160 theatres in eight states.

The Saenger reorganization plans were completed early in June, just prior to the signing of the new bankruptcy laws by President Roosevelt. Both Paramount Publix, parent company, and Saenger thereafter applied

(*Continued on page* 4)

First Session Held On Operator Scales

The first meeting of the fact-finding committee named recently by Division Administrator Sol A. Rosenblatt to study the Greater New York operator situation was held yesterday. It was decided to send out questionnaires. The move is an effort to set up a basic wage scale. Thursday the questionnaires

(*Continued on page* 4)

No Cavalryman

One of Universal's Kentucky colonels, E. T. Gomersall, thought his commission was for the cavalry. He hired a horse Sunday and rode through a mud puddle on the Central Park bridle path. The horse had no chains and Gomersall did a Prince of Wales.

Gomersall phoned J. R. Grainger yesterday morning that he would not be in for a couple of days. The message arrived about the time Grainger was congratulating Edward Bonns, short subject sales manager, whose commission had just arrived from Frankfort.

Col. Kann made no mistake like this. He took a boat to an island off the coast of Maine to study the tactics of coast defense.

Court Orders Testimony on Fox Met Deal

Asserting that a reorganization of Fox Metropolitan under the new bankruptcy laws would result in benefits for stockholders and other creditors of the corporation, as well as bondholders, and that under the planned sale of Fox Met bonds to Loew's and Warners only the bondholders will benefit, a petition filed in U. S. District Court here yesterday asks for the right to examine members of the Fox Met bondholders' committee and representatives of Loew's

(*Continued on page* 6)

BATTLE LINES ON ASCAP ARE DRAWN

Objectors to Code Cost Get Until Aug. 15

WASHINGTON, July 30.—Extension until Aug. 15 of the period within which objections can be made to the basis of contribution to code administration expenses as proposed by Code Authority was announced today by the National Recovery Administration.

The time limit for objections was originally set for Aug. 6, but it was represented that this did not give adequate time for industry members on the Pacific coast who might wish to object.

Lab Code Hearing Set for August 14

WASHINGTON, July 30.—A public hearing on proposed amendments to the laboratory code will be held Aug. 14 by Acting Division Administrator William P. Farnsworth. At the same hearing an opportunity will be given

(*Continued on page* 4)

Would Adjudge Slow Payer Code Violator

Assentors failing to promptly pay assessments will be considered code violators, according to an amendment proposed by Campi. No member of

(*Continued on page* 4)

National, Local Exhibitor Groups in Agreement On Plan of Action

A program of resistance to the proposed music seat tax increases which the American Society of Composers, Authors and Publishers plans to put into effect Oct. 1 was drafted yesterday at a meeting of an exhibitors' emergency committee representing national and local exhibitor organizations and national circuits.

The three-point program of opposition developed yesterday includes:

Organization of a united exhibitor front throughout the country in resistance to the music tax increases.

Recourse to litigation against the ASCAP with a selected legal committee in charge.

Exhibitor appeals to congressmen against the demands of the ASCAP.

The legal committee which will have charge of the exhibitors' court

(*Continued on page* 2)

Block Booking Not Evil; Necessity, Says Laemmle

"Block booking is not an evil. It is an economic necessity," declared Carl Laemmle in a "Straight from the Shoulder" talk intended for the next issue of *Universal Weekly*.

"Under block booking you buy the good with the bad, and you know it in advance," he goes on.

Continuing, he says:

"Producing is a gamble. So is exhibiting.

"You must be assured of enough pictures to run your theatre. So you, as well as the producers, are responsible for block booking—and you never need to apologize about it to anyone.

"You decide what producer you have confidence in. You say to yourself, 'This producer has made money for me. He cannot click 100 percent but his average is good. I will buy his product, knowing that some of his

(*Continued on page* 8)

Production Gains; 34 Features Going

HOLLYWOOD, July 30.—Production is slowly increasing with a total of 34 features and nine shorts in work last week as compared with 33 and eight for the preceding waak.

Warners continue to lead the field with seven features in work, none in final stages of preparation and nine

(*Continued on page* 8)

Yamins Is Studying New Film Contracts

Nathan Yamins, a member of the Campi legal committee, is now making a resume of clauses in all contracts as a result of exhibitor complaints throughout the country.

Various charges have been made that clauses in distributors' contracts are attempting to evade the 10 per cent elimination clause. Yamins is studying them for possible code violations and will submit his report to Campi at the Aug. 9 session.

Operator Made Head Of Ontario Censors

TORONTO, July 30.—Otter Elliott, projectionist at London, Ont., has been named successor to Major J. C. Boylen as chairman of the Ontario

(*Continued on page* 8)

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Wilson Andrews Buried

NEWPORT NEWS, Va., July 30.—Funeral services were held here today for Wilson Andrews, theatre usher, who was instantly killed Saturday when his coupe was hit by a truck.

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Battle Lines Are Drawn on ASCAP

(*Continued from page 1*)

opposition to the society will be made up of counsel for each of the national circuits and counsel for each exhibitor organization represented on the emergency committee, with the exception of T. O. C. C., whose counsel, Nathan Burkan, is also counsel for the ASCAP.

Organizations represented at yesterday's meeting included all national circuits, Allied States, M. P. T. O. A., and the I. T. O. A. and T. O. C. C. of New York. The opinion of the meeting was that the society's demands are "entirely unwarranted, unconscionable, impossible and unreasonable" and that the society has advanced no "justifiable reasons" for the increases asked.

Exhibitors are being advised by the committee not to sign new license agreements with the society without first consulting their exhibitor associations and, if they are unaffiliated exhibitors, they are urged to address national headquarters of either Allied or M. P. T. O. A.

Schedule Is Listed

Following is the new schedule of seat taxes prepared by the ASCAP which, it is contended, will increase the present tax of 10 cents per seat by 300 to 1,000 per cent.

The basis rate for annual license is an amount equal to one filled capacity house at the highest rate charged for seats at any performance.

Example
Capacity of Theatre at Highest Admission

Class	Number	Price	Total
Loge Seats....	150	$1.00	$150
Orchestra	1,200	.75	900
Balcony	750	.30	225
Total value of one full capacity			$1,275

If the theatre presents 20 or more performances per week, the rate for annual license is an amount equal to one full capacity per above example

If less than 20 performances per week are presented the rate for annual license is as follows:

No. of Performances per week	Rate for Annual License
19	95% of basic rate
18	90% " " "
17	85% " " "
16	80% " " "
15	75% " " "
14	70% " " "
13	65% of basic rate
12	60% " " "
11	55% " " "
10	50% " " "
9	45% " " "
8	40% " " "
7	35% " " "
Less than 7	10 cents per seat
" " 7 (operating 3 or less days per week)	5 cents per seat

The minimum rate for annual license in any case is fixed at 10 cents per seat, except if theatre operates three or less days per week, in which case five cents per seat is the rate.

For theatres which operate irregularly—or are operated for terms of less than a full year period, the rate is 1/12 of the above for each month or fraction thereof actually operated.

By theatres regularly operated the fee is payable quarterly in advance. Irregularly operated theatres (road shows, etc.) monthly in advance.

Schedule Effective Oct. 1

"The above schedule of rates," ASCAP states, "is effective on and after Oct. 1, 1934. They cover, and licenses issued by ASCAP relate to and authorize, the non-dramatic public performance of all musical compositions copyrighted by members of ASCAP and of all foreign similar societies with which ASCAP has reciprocal relations.

"If for any reason any section of seats is closed off and sale of tickets thereto is discontinued, such seats may be deducted from the 'capacity' of the theatre. If the price or performance policy of the theatre changes during the license year ASCAP should be promptly notified so that license fee rate may be accordingly readjusted."

The meeting, after a discussion, concluded that the proposed seat tax schedule is not a matter for Code Authority action. If angles of the opposition campaign develop which properly come within Campi's jurisdiction, they could be taken to that body without difficulty, it was pointed out, as the exhibitors' emergency committee includes two Campi members, Kuykendall and O'Reilly.

Col. Holds Schertzinger

HOLLYWOOD, July 30.—Columbia has given Victor Schertzinger a long term contract as a result of his work on "One Night of Love." His first assignment under the new pact will be "Hello, Big Boy!"

Loew Pfd Up 2⅜ on Big Board

	High	Low	Close	Net Change	Sales
Columbia Pictures, vtc	23¾	23¼	23¾	+ ¾	200
Consolidated Film Industries	2½	2¼	2¼	.....	400
Consolidated Film Industries, pfd	12¼	11⅝	11⅝	+ ⅛	500
Fox Film "A"	9½	9¼	9½	— ⅛	600
Loew's, Inc.	22⅞	21⅝	22¼	— ⅜	2,800
Loew's, Inc., pfd	79⅞	79⅞	79⅞	+2⅜	100
Paramount Publix	3⅛	2⅞	3	— ⅛	8,100
Pathe Exchange	1⅜	1	1⅜	+ ¼	5,100
Pathe Exchange "A"	12	12	12	— ¾	100
RKO	1¾	1¾	1¾	.....	600
Universal Pictures, pfd	30	30	30	—2	10
Warner Bros.	3¾	3½	3⅝	.....	5,700

Technicolor Up ⅛ on Curb

	High	Low	Close	Net Change	Sales
Technicolor	12½	12¼	12½	+ ⅛	1,100

Bond Market Inactive

	High	Low	Close	Net Change	Sales
Loew's 6s '41 ww deb rights	99	98½	98½	— ½	6
Paramount Broadway 5½s '51	35½	35⅛	35½	— ¼	3
Warner Bros. 6s '39, wd	52	50¾	51½	+ ⅜	36

Purely Personal

HARRY BRANDT, L. N. OLMSTEAD, HENRY SIEGEL, J. GLUCKSMAN, I. WORMSER, DAVE BLUM, SIDNEY WEIL, LEE OCHS, JOHN C. FLINN, JAMES F. RYAN and ALFRED KRELLBERG were among those lunching at the M. P. Club yesterday.

HARRY C. ARTHUR hies back from St. Louis Thursday. He's there making arrangements on the new policies for the Ambassador, Missouri and Grand Central, recently acquired by F. & M.

JEAN DRESSLER of Columbia, EMANUEL TISHMAN and JOE HOWARD of the Paramount trustees' legal department, were among the returning vacationers yesterday.

AL ALTMAN, M-G-M eastern production executive, who has been on the coast for studio conferences for the past six weeks, is back at the home office.

PAULINE LORD gets back into town from the coast today, having finished work in her first film, "Mrs. Wiggs of the Cabbage Patch," in which she plays the title role.

BARRETT TRUEX is the latest addition to the family of Mr. and Mrs. ERNEST TRUEX. He is at the Doctors' Hospital.

WILLIAM H. VOELLER, vice-president of Conquest-Alliance, has gone to the coast to sign up film talent for South American radio broadcasts.

IRVING ALCANA, head of the RKO still department at the home office, became a benedict over the week-end. ANN SHERMAN is the lucky girl.

LOU BRESLOW, Universal director, and MRS. BRESLOW, are in town on a combination honeymoon and business trip.

MAJOR EDWARD BOWES will have lunch with the Yankee team today and will sit with the team on the bench during the game.

BERNARD MILLS, Albany Monogram franchise holder, leaves today for his upstate territory after conferring with home office executives.

HARRY THOMAS returns Thursday from a Pennsylvania trip. AL FRIEDLANDER gets back today from another trek to First Division branches.

LOU GOLDBERG (LEWIS GRAHAM to the literati) returned from Denver yesterday after a two weeks' respite from Columbia home office labors.

HENRI ELLMAN, independent film exchange operator in Chicago, is spending a week here.

SIMON FABIAN returns tomorrow from a week-end business vacation trip.

EDWARD J. BURKE, house manager at the Roxy, is vacationing while IRVING LESSER is pinch hitting.

ROSE BURKES, HOWARD CULLMAN's secretary, is on a West Indies Caribbean cruise.

BOB SISK is back from a four-day recess.

LILA LEE and ADRIENNE AMES are staying at the Lombardy.

ARTHUR MAYER returns from a week-end at Martha's Vineyard today.

W. RAY JOHNSTON arrived on the coast yesterday.

Lab Code Hearing Set for August 14

(Continued from page 1)

to discuss the laboratory code authority's proposed budget of $21,157.

Indications are that the code will be entirely rewritten, it being pointed out that it was approved last September and is more or less obsolete as compared with agreements now being approved.

A number of amendments will be proposed by the Administration, among them an increase of $1 per week in the minimum wage scales, and a new method of electing directors for the M.P. Laboratories Ass'n of America. The Administration proposes that four representatives of the association, four of non-members and an impartial chairman shall comprise the authority.

Would Adjudge Slow Payer Code Violator

(Continued from page 1)

Code Authority shall be liable to anyone for any act of other members, except for his own wilful malfeasance or nonfeasance, according to the resolution.

Because of the plethora of appeals and the necessity in some cases for investigation, an amendment has been proposed to extend the 15 days in which decisions must be handed down after hearings to 30 days.

Campi under present provisions of the code has no redress in the event of failure to pay assessments. It can refuse to accept complaints from nonpayers and also stop exhibition of films with the NRA insignia.

Public hearings will be held shortly on both amendments. Division Administrator Sol A. Rosenblatt will set the dates on his return east.

Appeals Group Will Begin with Cleveland

Cleveland will be the first city where the field appeals committee will hear complaints on clearance and zoning. A group of appeals board members will be dispatched from New York to hear the protests on new schedules. On Aug. 8, a carload of Milwaukee exhibitors will converge on New York to hear protests on the new local clearance and zoning draft. The schedule, reported to be full of dynamite, will provide plenty of fireworks, especially the duals elimination clause.

Up to date about 80 cities have promulgated schedules and all will be subject to public hearings. In Cleveland all exhibitors will be called in for a general hearing and will be given an opportunity to talk. The session will probably last several days.

No appeals meeting was held yesterday at Campi, but one is set for today with Harold S. Bareford as chairman. About half of the 130 filed have been heard.

First Session Held On Operator Scales

(Continued from page 1)

will be sent to all operators who will be asked to answer facts concerning affiliation, wages, number of men in booths, working hours and by whom employed.

Attending the session were Leslie L. Thompson, RKO; C. C. Moskowitz, Loew's; Joe Blatt, Empire State Union; Murray Harstn, Allied M.P. Operators; Harry Brandt, head of the I. T. O. A.; Harland Holmden, in charge of Local 306; Charles L. O'Reilly, president of the T. O. C. C. Thompson presided.

MOTION PICTURE DAILY'S HOLLYWOOD PREVIEW

"Hideout"

(M-G-M)

Hollywood, July 30.—There is plenty of entertainment here, with comedy and romance. The premise is novel, and demonstrates nicely that a gangster idea is not necessarily defunct. The big town gets too hot for a heart breaking racketeer contact man who has been wounded in a cop melee so he hides away on a Connecticut farm. In the typical rural life he falls in love with the farmer's daughter and is set to become a farmer himself. Drama has its inning as the police catch up with him and arrange an 18 months' sojourn for him as the guest of the state's big house before he can claim the girl and become a real back-to-the-land convert.

Robert Montgomery does an effective job as the regenerated gangster. Maureen O'Sullivan is convincing as the girl. As the detective nemesis, Edwin Arnold provides a line that gives the yarn a big wallop. As the farmer father and mother, Whitford Kane and Elizabeth Patterson are delightful. Mickey Rooney is ideal as a little brother. The supporting cast is okay. W. S. Van Dyke's direction capitalizes the laughs and shows a clever way of handling the gangster topic. The picture is a good programmer with name values. Running time, 80 minutes.

Looking 'Em Over

"Beyond the Law"

(Columbia)

This Tim McCoy vehicle is a suspenseful, attention-holding film that should have little difficulty in getting across at neighborhoods. The plot is well developed, the acting capable and the pace fast and gripping at times.

McCoy, a railroad detective, is responsible for convicting a man for a murder committed during a train holdup. After a talk with the man's daughter (Shirley Grey), he is convinced he has made a mistake and with her assistance sets out to run down the real murderer, an executive of the road, who is at the head of a gang preying on company's shipping money on the railroad's trains. To make certain the executive is the man they want, McCoy and Miss Grey must establish the fact that he is left-handed, since they are convinced the murderer used his left hand in knocking out one of the men guarding the shipment of gold. How they succeed in doing so provides many an exciting moment. The end finds Miss Grey's father free and she and Tim honeymoon-bound.

The direction is credited to D. Ross Lederman. Running time, 58 minutes.

"On Secret Service"

(B. I. P.-Lou Metzger)

Despite the fact that only two members of the cast are known here, this English-produced picture should please American audiences. The cast includes Greta Nissen and Don Alvarado.

The story is laid around the Austro-Italian front during the World War. Miss Nissen is an Italian spy stationed in Vienna at the outbreak of the war. She is in love with Carl Diehl, a member of the Austrian general staff who suffers disgrace when secret military papers are found in his home. This was brought about by confederates of Miss Nissen, unknown to her. The scene shifts to Rome with Diehl, as a spy, trying to win back his former position by discovering the leak in the Austrian headquarters from which information is seeping over the border to Italian officials. The last three reels are packed with intrigue and suspense when Miss Nissen and Diehl work against each other despite their love. The finish is novel.

In exploitation it might be well to play up the spy angle and the lack of battle scenes. Running time, 75 minutes.

Rosenblatt Back Soon

Washington, July 30.—Division Administrator Sol A. Rosenblatt is expected back from his coast trek in about two weeks. He will miss the next session of Campi, set for Aug. 9, when Deputy Administrator William P. Farnsworth will attend.

"Take a Bow" Gets $97,250, 4 Weeks

(Continued from page 1)

Shirley Temple opus, grossed $14,000 over the week-end.

Other grosses last week follow:

Capitol—"Min and Bill" revival and stage show—$11,000.

Radio City Music Hall — "Grand Canary" and stage show—$63,100.

Palace — "Of Human Bondage" (Radio), 2nd week and vaudeville—$12,000.

Paramount — "Notorious Sophie Lang" (Para.) and stage show—$22,000.

Rivoli — "House of Rothschild" (U.A.)—$33,820.

Strand — "Here Comes the Navy" (Warners)—$31,000.

"Romance of People" Is Booked into Roxy

Marking the first theatre showing, "Romance of a People," which was exhibited last year at the Kingsbridge Armory, has been booked into the Roxy for an indefinite run starting Sept. 7. The play will run during the most important Jewish holidays, Rosh Hashonah and Yom Kippur, which this year starts Sept. 10 and ends Sept. 20.

According to the deal, 25 per cent of the proceeds will be turned over to the Federation for Support of Jewish Philanthropic Societies. The play will be condensed to run for about an hour and a half. A feature, not yet selected, comedy and short also will be on the same program.

Saenger to Retain Plan to Reorganize

(Continued from page 1)

for reorganization under the new laws, necessitating the re-wording of the Saenger reorganization plans to comply with the new legal status of both that company and Paramount.

A Federal court hearing at New Orleans is scheduled for Aug. 6 at which E. V. Richards is expected to be named permanent trustee for Saenger.

Flash Reviews

The Most Precious Thing in Life—Fairly entertaining, with Jean Arthur doing unusual characterization work.

The Great Defender— . . . should provide good fare as a programmer. . . .

These films will be reviewed in full in a later issue of Motion Picture Daily.

RKO Meets Payment

The Aug. 1 maturity of $300,000 of RKO's $1,800,000 gold note issue recently acquired by Consolidated Film will be paid tomorrow, it was stated at RKO yesterday. The five remaining notes of $300,000 each fall due the first of each month up to and including Jan. 1, 1935.

Gala 'Cleopatra' Opening

A gala opening has been planned for "Cleopatra" at the Paramount at 9 P. M., Aug. 16, the day before the film begins its continuous run at the house. Cecil B. DeMille, who directed, will be a guest.

ZANE
GREY

HAROLD BELL
WRIGHT

ROBERT W.
SERVICE

JAMES O.
CURWOOD

PETER B.
KYNE

JACK
LONDON

drawn by
WENTWORTH

from
"Best Sellers"
to the Screen

Sol Lesser and John Zanft
present

GEORGE O'BRIEN

September Release

"DUDE RANGER"

By

ZANE GREY

Directed by Edward F. Cline

·FOX DISTRIBUTION

Court Orders Testimony on Fox Met Deal

(*Continued from page 1*)

and Warners for the purpose of determining the value of Fox Met assets.

The petition was filed by Archibald Palmer, attorney for a minority bondholders' group which is seeking reorganization of Fox Met under the new bankruptcy laws. Those whom the petitioners ask leave to examine are: Nicholas M. Schenck, J. Robert Rubin and Leopold Friedman of Loew's; Harry M. Warner, Albert W. Warner, Joseph Bernhard and Abel Cary Thomas of Warners; A. C. Blumenthal and his counsel, Saul E. Rogers; Irving Trust Co., receiver for Fox Met; and William Atkinson, administrator for the receiver; Si Fabian, former officer of Fox Met; Joseph W. Dixon, Max Horwitz, Ernest Niver, William M. Greve and Alvin J. Schlosser, members of the Fox Met bondholders' committee; Warner Marshall, Jr., former secretary of the committee, and Central Hanover Bank & Trust Co., depositary for the committee.

Judge John Woolsey signed an order appointing John E. Joyce special master to hear the examination of those named and set the first of the hearings for Thursday.

Fox Theatres Corp., also in receivership, is the owner of all of the capital stock of Fox Met.

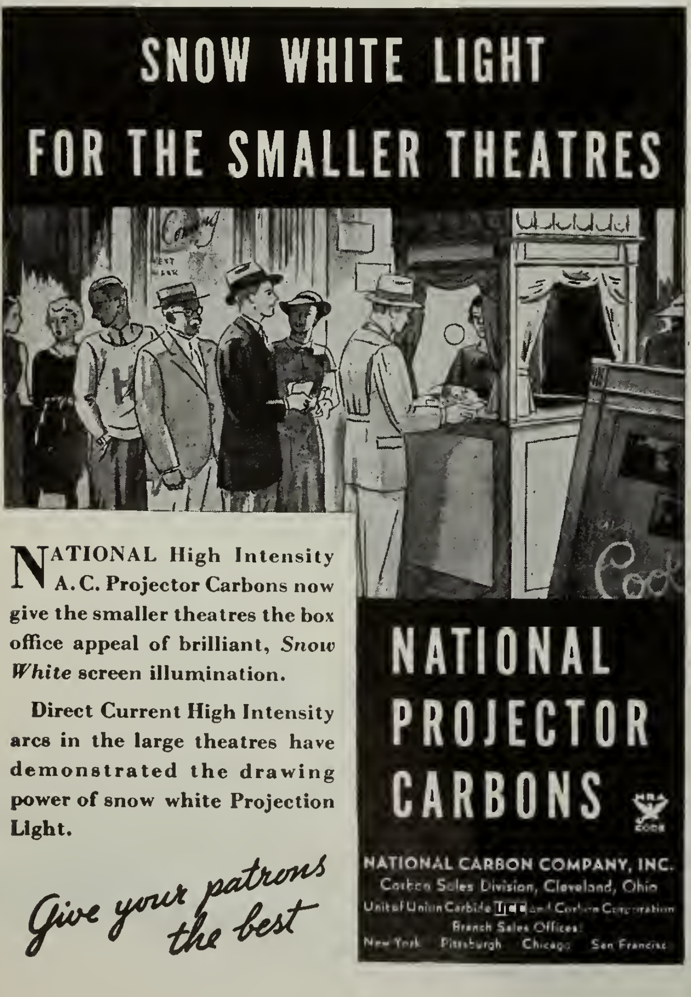
The petition asks to examine those named in order to obtain from them "information to be placed before the creditors and bondholders herein as to why, in their opinion, these particular (Fox Met) properties, which would seem to earn within a period of five or 10 years of operation the full amount of the bondholders' claims, should be sacrificed for a price which would foreclose the stockholders of the debtor from all rights of participation as stockholders in the emoluments and capital of this company."

The petitioners also state that they believe those named "have information of importance to the creditors, bondholders, stockholders and even to the officers of this court" and that the examination is sought in order that the court "may be fully apprised of the fairness or unfairness of any plan or other offers that may be made under and by reason of the proceedings now pending under Section 77-B of the new bankruptcy laws."

The petitioners represent about $14,000 of Fox Met bonds.

Palmer also alleges that the pending Loew-Warner bid of $4,500,000 for the Fox Met bonds actually represents an offer of $2,700,000 as Loew's and Warners would come into possession of approximately $1,800,000 cash now in the possession of the Fox Met receiver when they reorganized the circuit after acquiring the bonds.

Former officers of Fox Met were served with summonses yesterday in the pending proceedings under the new bankruptcy laws which requires Fox Met to make an answer to the petition for reorganization under 77-B within the next 10 days.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Gaumont Deal On to Acquire Roxy Theatre

(*Continued from page 1*)

firm behind G-B, is due to arrive from England shortly after Bernerd to sign the deal and put up the money.

The plan of the British company is to compete with the Music Hall and Capitol on Broadway and also to invade other key centers throughout the country. All product deals for the Roxy have been held up pending outcome of the negotiations. Picture deals were on for Fox, Columbia, Warner and Universal product. They will be called off in the event G-B negotiations materialize. Gaumont British plans to show its own product exclusively. Domestic product will not find an outlet at the Seventh Ave. cathedral.

It is understood that Arthur Lee will continue to represent G-B in the American market.

From England come reports that S. L. (Roxy) Rothafel has been contacting the Ostrer interests in the hope of building a gigantic theatre project in London. He is also said to have approached the British interests on taking over the management of the Roxy if and when G-B assumes control. However, nothing could be learned of the outcome of these talks.

G-B is definitely set on opening its own exchanges in America and details of this plan will be worked out while the British men are here.

Allied Meet Takes Up Trailer Problem

Trailers, the code amendment on clearance and zoning, legislation, the church drive and the annual New Jersey convention were discussed by Allied eastern leaders at the Park Central yesterday. Walter B. Littlefield presided.

The next eastern session will be held in conjunction with the New Jersey meeting Aug. 22-24 and the confab following this will be held either in Baltimore or Boston sometime in September.

Attending yesterday's session were: Arthur B. Price, Sam Soltz and William Hicks, Baltimore; Jack Wilkins and Frank Henry, southern New Jersey; Jack Unger, Louis Levin and Sidney Samuelson, northern New Jersey; Abe Stone, Chester Didsbury and Arthur Tarbell, New York; W. H. McLaughlin, Edward Ansin, Littlefield and Arthur Howard, New England.

The New Jersey unit holds its regular meeting today at the Berkeley-Carteret in Asbury Park with Samuelson presiding. About 75 are expected.

Swanson with Gable

Hollywood, July 30. — Gloria Swanson's first for M-G-M will be a co-starring vehicle with Clark Gable. It is an original by Frances Marion with a New Orleans locale.

Book "Jane Eyre" Film

Loew's, RKO, Wilmer & Vincent and Warners have booked "Jane Eyre" over their circuits.

"Gamble" and Vaude Detroit Hit $18,100

Detroit, July 30.—With a combination of "His Greatest Gamble" and a vaudeville bill headed by Vic Oliver, the Fox went up to $18,100 in spite of the heat. This is $3,100 over par.

"Shoot the Works" and the Goldbergs on the stage were strong at the Michigan at $20,200.

Heat hit business generally. Five neighborhoods are closed and others are suffering.

Total first run business was $53,800.

"OLD FASHIONED WAY" (Para.)
FISHER—(2975), 15c-50c, 7 days. **Gross:** $5,700. (Average, $10,000)

"HIS GREATEST GAMBLE" (Radio)
FOX—(5,100), 15c-50c, 7 days. Stage: Vic Oliver, billed as Europe's Gift to America, and Cardini, the marvelous topping seven-act stage show. **Gross:** $18,100. (Average, $15,000)

"SHOOT THE WORKS" (Para.)
MIÇHIGAN—(4,100), 15c-50c, 7 days. Stage: The Goldbergs in person. **Gross:** $20,200. (Average, $20,000)

"BULLDOG DRUMMOND STRIKES BACK" (U. A.)
UNITED ARTISTS—(2,070), 25c-50c, 7 days. **Gross:** $9,800. (Average, $10,000)

Dressler Rites Will Silence Hollywood

Hollywood, July 30.—A hush will fall upon Hollywood tomorrow during the last rites for Marie Dressler in Glendale. Activity at all studios will be halted for one minute in silent tribute to the actress, while the M-G-M plant will close its doors during the entire funeral.

The funeral will be strictly private. Chiefly among those invited are persons high in civic and social life, film executives and members of the star's household. The casket will be sealed in accordance with Miss Dressler's wishes.

Pallbearers will be Clarence Brown, Jack Conway, Mervyn LeRoy, Charles Reisner, William K. Howard and W. S. Van Dyke.

Schoenfeld Censor Head

Seattle, July 30.—L. Kenneth Schoenfeld, furniture dealer and former president of the Junior Chamber of Commerce and Young Men's Business Club, has just been elected chairman of the new board of censors.

The new board of nine members met last week with Mayor Charles L. Smith. Following the session, it was announced by Chairman Schoenfeld that the board would adopt no definite policy.

Charter Va. MPTO

Richmond, July 30.—The recently formed M. P. T. O. of Virginia has just received a state charter. Morton G. Thalhimer, recently elected president, heads the incorporators.

Heineman a Father

Salt Lake City, July 30.—William Heineman, Universal division manager, is receiving congratulations on the birth of a son.

Schulberg Sets Another

Hollywood, July 30.—B. P. Schulberg will produce "Saint Nick," an original by Dana Burnet, for Paramount.

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Cancellation Rules Joke, Says Means

KANSAS CITY, July 30.—"The procedure involved in canceling pictures on moral grounds is so hedged about with conditions and restrictions as to render it meaningless to the exhibitor." The whole thing is a "joke," he says.

Thus Jay Means, president of the I. T. O. of Greater Kansas City, summed up his objections to the new plan. He said he had requested cancellation by Paramount of "The Trumpet Blows," and that while the exchange has taken his request under advisement, he believed it would be granted.

"Under the procedure for reference of disputes over cancellation to the grievance board, the distributors can tell the board what to do and what not," Means, who is a member of the local grievance board, continued. "I take the position the distributors have no right to dictate to the grievance boards."

He finds further objection in the fact the exhibitor must prove there exists a concerted local protest on moral grounds and that the exchange manager can question the good faith of any protest.

"The whole procedure is accomplished in such a round-about manner and holds such troublesome features that it is doubtful whether many exhibitors will ask for 'morality' cancellations," he added. "Furthermore, the cancellations must first be applied against the 10 per cent eliminations to which the exhibitor is entitled, so the whole thing resolves itself into a joke."

Says St. Louis Men Refusing to Cancel

ST. LOUIS, July 30.—Exchanges here are refusing cancellations of pictures on moral grounds, declares Fred Wehrenberg, head of the M. P. T. O. unit, and are insisting that exhibitors take their requests to grievance boards.

Exhibitors here feel that films on the black lists of the Better Films Council and the Legion of Decency are entitled to cancellation. The Better Films list has six features and the Legion of Decency has 11.

Operator Made Head Of Ontario Censors

(Continued from page 1)

censor board under the economy reorganization by the new premier, Mitchell Hepburn.

Elliott was chief censor and director of the government film bureau 15 years ago, but resigned in 1924 when the Conservative party came into power. Since then he has been an operator.

Hepburn says the present censor board has been too highbrow.

Trem Carr Back at Desk

HOLLYWOOD, July 30.—Trem Carr, Monogram vice-president, will return to his desk at the studio some time this week. He has been convalescing at home from an operation performed four weeks ago.

Block Booking Not Evil; Necessity, Says Laemmle

(Continued from page 1)

pictures will be strong and some weak, but on the whole I can make a profit.'

"If it were not for block booking, and if you had to buy one picture at a time, you would be on uneasy street all year. If you wanted to pick only the hits from each producer, you would have to pay a price you could not possibly stand.

"No mistakes in production are made on purpose. Every producer gives you the best he can deliver. When he clicks, you benefit. When he makes a mistake you've got to help him pay for it. Otherwise he would go out of business and so would you.

"Every new picture is a new gamble, for the producer, for you and for the public. Never alibi a weak picture from any producer. Never tell your patrons that you were 'forced' to buy it. It is unfair to the whole industry to tell anything but the truth about block booking and the truth is that block booking is the only sales plan which keeps the industry alive."

"Bondage" Is Given Pennsylvania O. K.

PITTSBURGH, July 30.—The Pennsylvania censors have just passed "Of Human Bondage" and it goes into the Stanley Friday instead of Edward G. Robinson's "Man With Two Faces," which was the previous booking. "Of Human Bondage" will also be dated immediately in several Warner spots in the western Pennsylvania territory.

Although the censors have passed "Dr. Monica," they did so with so many cuts that the distributors have refused to release it. They are still hoping for a better deal.

"Night of Love" Preview

The first of a series of previews in the east will be given Columbia's "One Night of Love," starring Grace Moore, at the Astor on Thursday morning. Exhibitors of Greater New York and their wives have been invited. Tullio Carminati, a member of the cast, will attend.

A. C. Gets Arliss Film

ATLANTIC CITY, July 30.—George Arliss's latest for 20th Century, "The Last Gentleman," will have its world premiere at the Apollo here Friday. Picture goes in for an indefinite popular price engagement.

Freulich to Sell Short

HOLLYWOOD, July 30.—Roman Freulich, Universal "still" cameraman, who recently wrote, produced, directed and edited a two-reel drama titled "Prisoner" all by himself and booked it into a local theatre, is now en route to New York where he will act as his own distributor in case he can not sell it to one of the major distributors.

Production Gains; 34 Features Going

(Continued from page 1)

in the cutting rooms, M-G-M reports four, one and 11; Fox, four, two and five; Universal, four, two and four; Paramount, two, six and one; Columbia, two, three and three; Radio, two, seven and four; Sam Goldwyn, two, zero and zero; while the independents register five, six and five.

In the short subject division, M-G-M reports one in work, four preparing and four editing; Roach, zero, zero and two; Columbia, zero, zero and three; Radio, zero, two and six, with the independents totaling eight, seven and eight.

Charter Music Guild

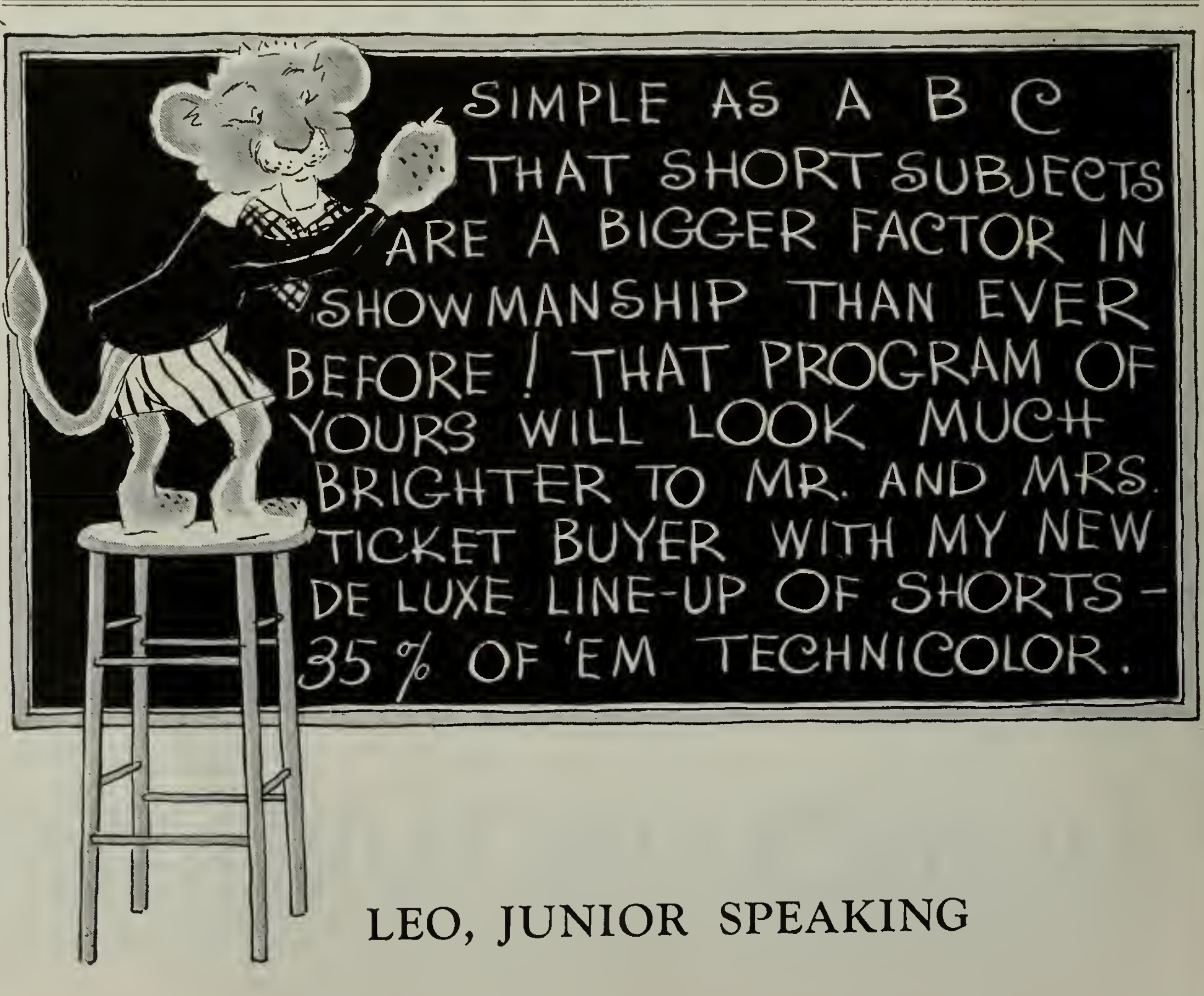
ALBANY, July 30.—Music Guild Prod., Inc., has been chartered here to exhibit pictures, plays, vaudeville, etc. Directors are George Bailhe, Theodore A. Benedek and Charles H. Halsey.

Warner Java Unit Set

WILMINGTON, July 30.—Warner Brothers-First National Pictures (Java), Inc., was incorporated at Dover today with $10,000 capitalization. The incorporators are L. H. Herman, D. R. Jones and W. T. Hobson of Wilmington.

Warners to Move Here

Headquarters for Warner theatres in New Jersey will be moved soon from Newark to the home office in New York. Don Jacocks, division head, will transfer his activities from across the Hudson to the main office within the next week or so.



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Complexities Hit Fox Met Negotiations

Lawyers' Court Confab Creates a Mystery

Complexities in the sale of Fox Metropolitan to Loew's and Warners, created by the moves of minority bondholders' group for reorganization of the circuit under Section 77-B of the new bankruptcy laws, brought legal representatives of Loew's, Warners and the bondholders' committee with which the Fox Met negotiations are being carried on, into a hastily summoned and closely guarded session with Federal Judge Julian W. Mack in chambers yesterday.

Attendants at the meeting evaded questioning later by declaring that the discussion was "strictly confidential" and that they had been cautioned by Judge Mack to regard it as such.

(*Continued on page* 11)

New Soviet Policy On with U. S. Film

By BELLA KASHIN

Moscow, July 31.—The new era in Soviet-American film relations began yesterday when seven leading local houses opened simultaneously with First National's "Cabin in the Cotton," which was cut and retitled "The Treachery of Marvin Blake."

Seider-Schwartz Deal On Pool Is Revived

On for several weeks and called off by a last-minute hitch, the pooling deal between Joseph Seider of Prudential and A. H. Schwartz of Century is now on again and near the closing point. Papers are understood ready for signing today. Towns involved are Floral Park, Riverhead and Huntington, all in Long Island.

The Splitup

If Loew's and Warners are successful in acquiring Fox Metropolitan Playhouses without deviation from present plans, the former will get 65 theatres in New York and Warners 18 in New Jersey. The total of 83 is the number now open.

MPTOA Describes ASCAP As Restraint of Trade

First guns were fired yesterday in the national exhibitor battle against the Oct. 1 music tax increases planned by the American Society of Composers, Authors & Publishers, when a special bulletin to members was sent out by the M. P. T. O. A. in which the society was referred to as a "monopoly in restraint of trade" and an "illegal price-fixing combine."

The bulletin urges exhibitors to join the national move in opposition to the new music impost and sheds light on the probable course to be taken by the exhibitors' emergency committee in waging its fight against the new tax scale and the society itself.

"We think," the bulletin states,

(*Continued on page* 12)

Court Slashes Para. Fees by $63,000 Total

A reduction of $63,000 was made by Federal Judge John M. Woolsey in the legal fees and allowances for services in the Paramount Publix three-month equity receivership which preceded the company's bankruptcy, it was revealed yesterday in an opinion filed in U. S. District court here.

The original equity receivership bill aggregated $208,000, but following protests by counsel for various creditors, the late Referee Henry K. Davis reduced the fees and allowances sought by $40,000. Further objections by creditors' counsel brought the matter before Judge Woolsey last winter and the resultant reductions, disclosed yesterday, lower the Paramount receivership bill to $105,000.

Samuel Zirn, attorney for a small

(*Continued on page* 12)

Skouras, Randforce, RKO Pools at End

Pooling deals among RKO, Skouras and Randforce, which have been in force the last two years, ended at midnight yesterday. As a result Fox franchise deals automatically are reinstated in the Skouras and Randforce houses formerly involved in the pools.

It is understood that in situations where the independent operators are not competitors to Loew's, the latter will get Fox instead of RKO this season.

Philadelphia Zoning Put Off for Present

PHILADELPHIA, July 31.—Winding up its zoning activities for the present, the clearance and zoning board has

(*Continued on page* 11)

Banned Films List Reduced In St. Louis

ST. LOUIS, July 31.—As a result of conferences held by Fred Wehrenberg head of the M.P.T.O. unit, with Archbishop John J. Glennon, other church leaders and persons active in the Better Films Council, it is believed that the tendency to direct the church drive toward a theatre boycott has been softened to a ban on certain pictures.

There are now six pictures under an absolute ban and theatres have agreed to make it plain that others are suitable only for adult audiences.

Assurances have been given that the industry is making a determined effort to clean up future releases.

Originally there were 38 on the Legion of Decency list and 17 on the Better Films Council list of objectionable features. No announcement has

(*Continued on page* 11)

Duals End Highlight Of N. J. Allied Meet

ASBURY PARK, July 31.—Single bills were the highlight of the Allied of New Jersey meeting here today. About 98 per cent of the unit's members are in agreement on the plan to drop duals and conferences have been held with Don Jacocks of Warners in furtherance of the idea, it was said.

A special committee appointed at a meeting in New York yesterday is understood to have reported favorably on the elimination. Sidney Samuelson presided.

L.A. Board Upholds Clause to End Duals

LOS ANGELES, July 31.—The zoning board today upheld its dual bill clause in the new clearance schedule.

(*Continued on page* 11)

New Clearance Is Set in 23 Of Key Cities

General Hearings to Be Called for Protests

Twenty-three key centers have already established new zoning schedules.

General hearings will be called for protests, the first being the schedule for Milwaukee, which will be up for discussion at the Aug. 9 Campi session, at which S. R. Kent will be chairman.

Exhibitors in Dallas, Memphis and Los Angeles have filed drafts for entire territories. In other centers, only certain cities have asked for changes.

Key centers and territories having submitted new schedules are:

Albany—Glens Falls.

Atlanta—Atlanta, Newman, Ga.; Jacksonville, St. Petersburg, Miami, Fla.; Birmingham, Ala.

Boston — Cambridge-Somerville, Southwestern, Mass.

Buffalo—Buffalo.

(*Continued on page* 11)

M-G-M Makes Shifts In Foreign Forces

Several shifts have been made in M-G-M foreign branch managerial posts. Joe C. Goltz, formerly head of the Uruguay branch, has succeeded Paul T. Lee in Java. George Suarez, formerly in charge of the Chile office, is now in Goltz's old post, and Tom Hale, who has been handling Venezuela, is now in the Chile office.

Louis Lober, manager of the company's Egyptian office, is in town for conferences with Arthur Loew and plans to return about Aug. 15, while William Melniker, head of the South American office, leaves on the *Eastern Prince* on Aug. 11 for home.

Protection

Columbus, July 31.—A central Ohio resident, without previous movie experience, who bought the only theatre in his home town a few weeks ago, came here to get some pointers on operation from an exhibitor friend.

"Do you know what the protection is in your town?" asked the friend.

"Sure," came the quick response, "we have one policeman during the day and two at night."

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DAILY

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Advertising Manager

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FitzPatrick to M-G-M

James A. FitzPatrick has been signed by M-G-M to produce a two-reel musical Technicolor three-color short on the life and music of Franz Schubert.

FitzPatrick is regarded as an authority on Schubert in music circles, having visited the composer's home in Vienna in 1927, when he made a silent picture based on his life. He intends to leave for the coast in October, when production is slated to start.

To help maintenance of proper air conditions in the theatre the year 'round

AIR CONDITIONING CHARTS

Fit the pocket or may be tacked on wall. Only limited number available. Order now. Price 25 cents.

BETTER THEATRES
1790 BROADWAY NEW YORK

Miss McNelis Gives Party for Shapiro

Victor M. Shapiro, Hollywood manager of *Quigley Publications,* was the guest yesterday afternoon of Catherine McNelis, president of *Tower Publications,* at a reception at the Fifth Ave. Hotel on the eve of his return to the coast.

Among those present were:

Robert Gillham, advertising director of Paramount; Si Seadler, advertising manager, and William R. Ferguson, exploitation director of M-G-M; Paul Moss, city license commissioner; Hal Horne, advertising head of United Artists; Paul Gulick, advertising chief of Universal; Thelma White, now rehearsing with Milton Berle for a Broadway musical; Joan Lowell, film producer and author-traveler; Tony Muto of the Hays office; Don Hancock of *Film Daily;* Ed Finney, advertising director of Monogram; Andy Sharrick of Universal.

Also: Earl Wingart of Fox; Al Wilke and Aileen St. John Brenon, both of Paramount; Rutgers Neilson of RKO; Marguerite Tazelaar, film reviewer of the *New York Herald-Tribune;* James Cron, A-Mike Vogel, Gertrude Merriam, J. M. Jerauld, Herbert Fecke, and James P. Cunningham of *Quigley Publications;* Walter Eberhardt of Erpi; Molly Steinberg and Ashley Miller of the Stage Relief Fund; Mrs. Hugh Weir and John E. Weir; Virginia Stover of the *Saturday Evening Post;* Morris Halperin of United Artists.

Others present were the following executives of *Tower Publications:* Robert Flaherty, advertising manager; Bert Adler, Lucille Babcock, Frank McNelis, Betty Lenahan.

St. Joseph Unions Hit

St. Joseph, Mo., July 31.—Judge Merrill E. Otis in Federal Court here today refused to reopen injunction proceedings brought by the Dubinsky brothers last March against the operators', stagehands' and musicians' unions. The court denied a motion to file an answer to the petition of the Dubinskys under which they originally obtained the injunction.

'Cellini' on Air Tomorrow

"The Affairs of Cellini," 20th Century picture which United Artists will release, will be previewed over the air on a coast-to-coast hookup at 10:30 P. M. tomorrow with WABC the local outlet.

Omaha Car Strike Ended

Omaha, July 31.—Settlement of the car strike today gave a stimulus to box-offices, which slumped severely during the five-day walkout.

Marie Dressler Laid To Rest; Rite Quiet

Glendale, Cal., July 31.—Marie Dressler was laid to rest this morning in Forest Lawn Memorial Park here after simple rites at the Wee Kirk o' the Heather. Only 200 of the actress' closest friends and associates were at the grave, while thousands of fans crowded around the gates to the cemetery. Neither newsreel nor outside cameramen were permitted on the grounds.

Loew's Will Shift Policy in 5 Spots

Effective around Sept. 15, Loew's will change the policies of theatres in Mt. Vernon, New Rochelle, Yonkers and White Plains, and the Ziegfeld in New York.

Currently on a two-change week, the new shifts will be to three bookings a week. David Loew is handling the bookings.

Warners Take Over 4 in Jersey Today

Warners today take over operation of four Bratter & Pollack theatres in New Jersey. They are the Rex, Irvington; Rahway, Rahway; Ritz, Lyndhurst, and Lincoln, Arlington.

Saffron Here to Confer

Jerome Saffron, western division manager for Columbia, is in town for home office conferences. He plans to stay about a month. Incidentally, he is now the father of twins.

Reisman Going Abroad

Phil Reisman, head of the RKO foreign department, leaves soon for an extensive tour of the company's European offices, stopping off at England, Spain, France and Scandinavia.

Depinet Goes to Coast

Ned Depinet, president of RKO Distributing Corp., left for the coast yesterday for studio conferences.

Szekler in from Brazil

Al Szekler, head of Universal's exchange in Brazil, is in town for home office conferences.

Pathe "A" Up One on Big Board

	High	Low	Close	Net Change	Sales
Columbia Pictures vtc	24⅜	24¼	24⅜	+ ⅝	100
Consolidated Film Industries	2¼	2¼	2¼	.....	100
Consolidated Film Ind. pfd	11½	11½	11½	— ⅛	200
Eastman Kodak	97¾	97	97	— ½	700
Fox Film "A"	98⅛	98⅛	98⅛	— ⅜	100
Loew's Inc.	22½	21¾	22½	+ ¼	16,000
Paramount Publix cts.	3	2⅞	3	.....	500
Pathe Exchange	1¼	1⅛	1¼	— ⅛	600
Pathe Exchange "A"	13	12	13	+1	500
RKO	1⅞	1¾	1¾	.....	500
Warner Bros.	3⅝	3½	3⅝	.....	2,400

Trans Lux Rises ⅛ on Curb

	High	Low	Close	Net Change	Sales
Technicolor	12½	12½	12½	.....	400
Trans Lux	1⅜	1¼	1¼	+ ⅛	300

Many Bond Issues Take a Loss

	High	Low	Close	Net Change	Sales
General Theatre Equip. 6s '40	5⅞	5½	5½	— ⅜	13
General Theatre Equip. 6s '40 ctf	5½	5⅛	5⅛	— ⅞	4
Keith, B. F., 6s '46	60½	60½	60½	—1½	1
Loew's 6s '41 ww deb. rights	98⅝	98	98	— ½	4
Paramount Broadway 5½s '51	35½	35½	35½	.....	4
Paramount F. L. 6s '47	38½	38½	38½	— ⅞	3
Warner Bros. 6s '39 wd	52½	51½	52¼	+ ¾	36

Purely Personal

NATHAN BURKAN, Ludwig Satz, E. C. Grainger, David Loew, Phil Reisman, Mort Spring, Howard Dietz, Laurence Bolognino, Edward Schnitzer, Sam Krellberg, Arthur Hirsch, Louis Phillips, Lou Metzger, Abe Schneider, Jerome Saffron and Tony Guren were among M. P. Club guests yesterday.

Francis L. Sullivan, English player imported by Universal, left yesterday for the coast for a part in Dickens' "Great Expectations." Yesterday saw the arrival in Hollywood of another Universal British importation, Valerie Hobson.

King Vidor will be interviewed by Bide Dudley over station WOR tomorrow at 1:30 P. M. Al Sherman, *Morning Telegraph* critic, will interview the director this evening at 7:45 over station WNEW.

Jack Benny returns to New York tomorrow from the coast after completing the lead in "Transatlantic Merry-Go-Round" for Reliance. He will resume his radio broadcasts.

Ex-Governor Al Smith has congratulated Howard S. Cullman on the booking of "Romance of a People" into the Roxy, starting Sept. 7.

Bernie Feinman, brother of Al and theatrical critic for the *New Leader,* arrives on the coast today for a week's stay.

James A. FitzPatrick is back from a trip to Zion Canyon, Utah, where he took Technicolor shots for a "Traveltalk" short.

Ed Davidow and Al Selig, reminiscing yesterday, learned that they both attended P. S. 75 on Henry St. many years ago.

L. J. Barbana, assistant treasurer of Columbia, was given a birthday party by his associates yesterday at the M. P. Club.

Alexander Woollcott's scenes in Universal's "Gift of Gab" were shot yesterday at Eastern Service Studios in Astoria.

Helen Morgan is on her way east by motor. She has just finished work in "Marie Galante" for Fox.

Mitzi Green has arrived here from the coast after appearing in "Transatlantic Merry-Go-Round."

Grace Rosenberg, eastern representative for Henry Ginsberg, has returned from a coast trip.

Tom Wiley was hired as a piano player at Christy Sullivan's on the Bowery 35 years ago.

William Saal and Burt Kelly have started "Gigolette" for Select Pictures at Biograph.

Sid Rogell, Columbia associate producer, is here on a short vacation.

Gloria Palmer has been signed for a role in Select's "Gigolette."

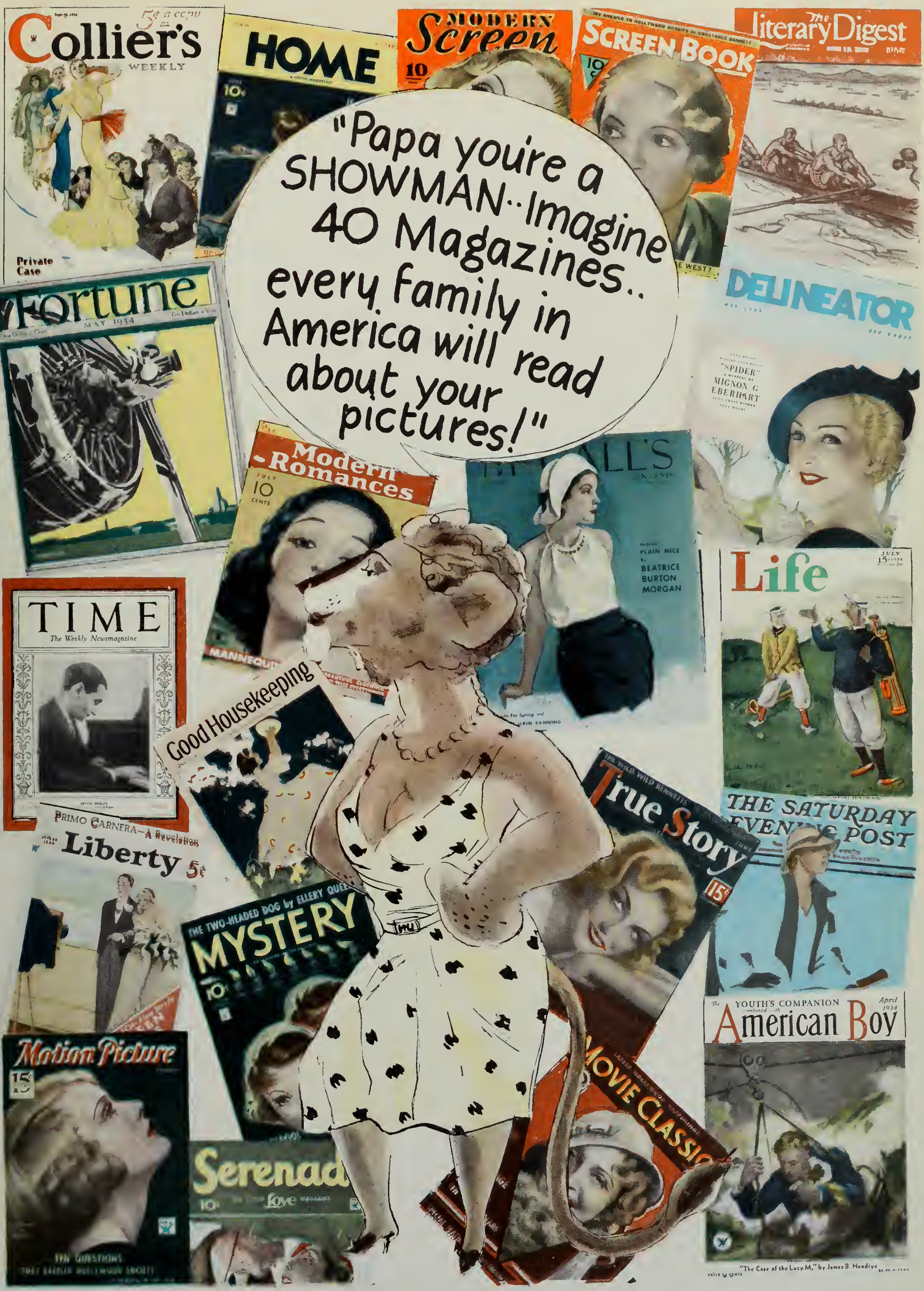
Pearce to Direct Here

Hollywood, July 31.—Educational has signed Leslie Pearce to direct comedies for it in the east. He leaves for New York by plane tomorrow and will start his directorial duties at the Eastern Service Studios in Astoria immediately on his arrival.

MRS. LEO LOVES TO CURL UP WITH A GOOD MAGAZINE

—isn't she just like millions of other women (*your patrons!*). And so Papa Leo takes the hint and here's what's happening—

"Look Mama.. it's the BIGGEST NATIONAL MAGAZINE CAMPAIGN EVER USED IN THE MOTION PICTURE INDUSTRY!"
Woman's Home Companion
KATHARINE HEPBURN by ALVA JOHNSTON
BOYS' LIFE
Shadoplay
Silver Screen
PICTORIAL REVIEW
Street & Smith's PICTURE PLAY
New Movie
American Magazine
SCREENLAND
Hearst's International Cosmopolitan
Beginning Casino Murder Case
ScreenPlay
PARENTS'
REDBOOK
Complete Novel by Ellery Queen
PHOTOPLAY
Hysterical Honeymoons of Hollywood
movie Mirror
LADIES' HOME JOURNAL
Screen Romances
Radio Stars
THE OPEN ROAD for BOYS
June Ice
Vines
Voice of Allah

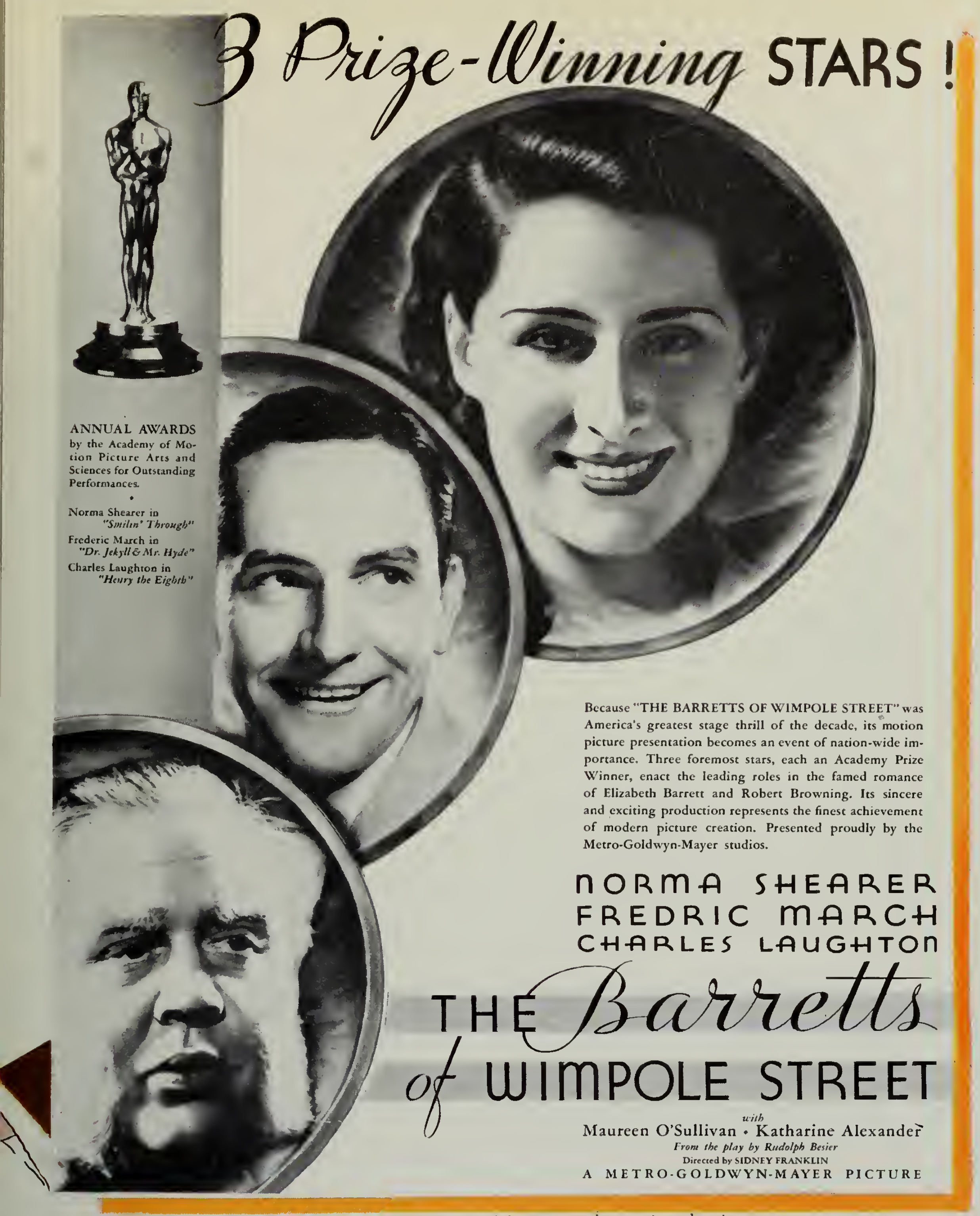

"Papa you're a SHOWMAN..Imagine 40 Magazines.. every family in America will read about your pictures!"
Collier's WEEKLY 5¢ a copy
Private Case
HOME 10¢
MODERN Screen 10
SCREEN BOOK
MY ANSWER TO HOLLYWOOD GOSSIPS by CONSTANCE BENNETT
The literary Digest
Fortune MAY 1934
DELINEATOR
"SPIDER" MIGNON G. EBERHART
Modern Romances JULY 10 CENTS
McCALL'S
PLAIN NICE BEATRICE BURTON MORGAN
Life JULY 15 CENTS
TIME The Weekly Newsmagazine
IRVING BERLIN
Good Housekeeping
PRIMO CARNERA—A Revelation
Liberty 5¢
THE TWO-HEADED DOG by ELLERY QUEEN
MYSTERY 10¢
True Story 15¢
THE SATURDAY EVENING POST
YOUTH'S COMPANION combined with The American Boy April 1934
"The Case of the Lucy M," by James B. Hendryx
Motion Picture 15¢
Serenade 10¢ Love MAGAZINE
MOVIE CLASSIC

A 24-SHEET ACROSS AMERICA!

M-G-M IN 40 BIG NATIONAL MAGAZINES WITH 34,204,660 CIRCULATION REACHING EVERY FAMILY IN AMERICA!

WHAT A PUBLIC FOR LEO'S MESSAGE IN THESE MAGAZINES!

Saturday Evening Post
Colliers
Literary Digest
Liberty
Time
Ladies' Home Journal
American
Woman's Home Companion
Cosmopolitan
Good Housekeeping
McCall's
Pictorial Review
Delineator
Red Book
True Story
Fortune
Photoplay
Motion Picture
Modern Screen
New Movie Magazine
Screenland
Silver Screen
Screen Book
Screen Play
Picture Play
Shadoplay
Screen Romances
Film Fun
Movie Mirror
Movie Classic
Modern Romances
Home Magazine
Serenade
Mystery Magazine
Tower Radio
American Boy
Boy's Life
Open Road for Boys
Parents' Magazine
Life Magazine



3 Prize-Winning STARS!

ANNUAL AWARDS by the Academy of Motion Picture Arts and Sciences for Outstanding Performances.

Norma Shearer in *"Smilin' Through"*
Frederic March in *"Dr. Jekyll & Mr. Hyde"*
Charles Laughton in *"Henry the Eighth"*

Because "THE BARRETTS OF WIMPOLE STREET" was America's greatest stage thrill of the decade, its motion picture presentation becomes an event of nation-wide importance. Three foremost stars, each an Academy Prize Winner, enact the leading roles in the famed romance of Elizabeth Barrett and Robert Browning. Its sincere and exciting production represents the finest achievement of modern picture creation. Presented proudly by the Metro-Goldwyn-Mayer studios.

NORMA SHEARER
FREDRIC MARCH
CHARLES LAUGHTON

THE *Barretts* of WIMPOLE STREET

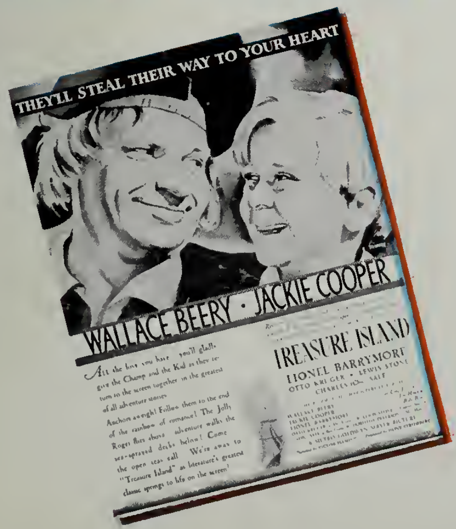
with
Maureen O'Sullivan · Katharine Alexander
From the play by Rudolph Besier
Directed by SIDNEY FRANKLIN
A METRO-GOLDWYN-MAYER PICTURE

ABOVE: *One of a series of three national magazine advertisements*

M-G-M's AD CAMPAIGN REACHES THE ENTIRE 30,000,000 FAMILIES OF AMERICA!

Whether you run a theatre in Caspian, Michigan (population 1,888) or Davis, Oklahoma (population 1,705) or Harrisburgh, Pa. (population 85,500) or cities with hundreds of thousands . . . ask your M-G-M salesman to show you how many families in your town are getting these magazines with M-G-M's new season message. This campaign has been designed to cover every picture-goer in your city!

FULL PAGE ADS LAUNCH M-G-M's NEW SEASON PRODUCT NATIONALLY!



THEY'LL STEAL THEIR WAY TO YOUR HEART

WALLACE BEERY · JACKIE COOPER

TREASURE ISLAND
LIONEL BARRYMORE
OTTO KRUGER · LEWIS STONE

Left:

"TREASURE ISLAND" ALSO GETS A BIG NATIONAL MAGAZINE CAMPAIGN. Leo's looking ahead to next season, *but* he's not neglecting the great attractions of the current year!

IT PAYS TO ADVERTISE WHEN YOU'VE GOT PRODUCT LIKE THIS . . .

(turn over for the very best)

Marie Dressler

Marion Davies

Norma Shearer

Joan Crawford

LEO MARCHES ON!

And he's not too modest to ADVERTISE the greatest line-up in the history of motion pictures!

Clark Gable

Jean Harlow

Lionel Barrymore

Ann Harding
in 1 picture, courtesy R.K.O.

Loretta Young

Jean Parker

Gloria Swanson

Wallace Beery

Garbo

Robert Montgomery

Ramon Novarro

M-G-M STAR SPANGLED BANNER

1934-35

AMONG THE SPECIALS

THE MERRY WIDOW
Ernst Lubitsch's production, starring Maurice Chevalier, Jeanette MacDonald Irving Thalberg, producer.

DAVID COPPERFIELD
Charles Dickens' famed novel. George Cukor, director. David O. Selznick, producer. Cast to be announced.

THE GOOD EARTH
Pearl S Buck's best-seller Adaptation by Frances Marion. George Hill, director. Irving S. Thalberg, producer Cast to be announced.

BARRETTS OF WIMPOLE STREET
Norma Shearer, Fredric March, Charles Laughton in illustrious stage hit. Director, Sidney Franklin. Irving Thalberg, producer

CHAINED
Joan Crawford, Clark Gable co-starred Director, Clarence Brown Hunt Stromberg, producer

MUTINY ON THE BOUNTY
Clark Gable, Wallace Beery, Robert Montgomery in best-seller and serial. Frank Lloyd, director Irving Thalberg, producer

MARIE ANTOINETTE
Norma Shearer, Charles Laughton and Fredric March in Stefan Zweig's famed best-seller Irving Thalberg, producer

NAUGHTY MARIETTA
Victor Herbert's operetta, starring Jeanette MacDonald with Nelson Eddy Robert Z. Leonard, director Hunt Stromberg, producer.

Ernst Lubitsch Charles Laughton, Herbert Marshall, courtesy Paramount. Fredric March, courtesy 20th Century.

STAR PICTURES

ONE JOAN CRAWFORD
TWO JEAN HARLOW
TWO WALLACE BEERY
ONE CLARK GABLE
ONE ROBT. MONTGOMERY
ONE JEAN PARKER
TWO WILLIAM POWELL
ONE WARNER BAXTER—MYRNA LOY
ONE RAMON NOVARRO
ONE GLORIA SWANSON
TWO MARION DAVIES
ONE JEANETTE MacDONALD
ONE MARIE DRESSLER—WALLACE BEERY
ONE HELEN HAYES
TWO LIONEL BARRYMORE

ONE CONSTANCE BENNETT

in Michael Arlen's famed novel. CONSTANCE BENNETT HERBERT MARSHALL, Elizabeth Allan, Mrs. Patrick Campbell, Henry Stephenson and many more. Directed by Robert Z. Leonard.

ONE ANN HARDING & ROBERT MONTGOMERY

in "Biography of a Bachelor" based on the stage hit "Biography" by S. N. Behrman. Screen writers Anita Loos and John Emerson. E. H. Griffith is director.

TWO LAUREL-HARDY FEATURE LENGTH COMEDIES

TWO ALL-STAR COMEDIES

Produced by the two most successful comedy producers of today, Charles Reisner and Jack Cummings . . . Jimmy Durante, Charles Butterworth, Louise Fazenda, Stuart Erwin, Ted Healy, Una Merkel and others in the casts.

FOUR COSMOPOLITAN PRODUCTIONS

Just an idea of the Cosmopolitan hits of past months "Penthouse," "Manhattan Melodrama" and "The Thin Man." Cosmopolitan Productions get nationwide advertising and publicity through the Hearst chain of newspapers.

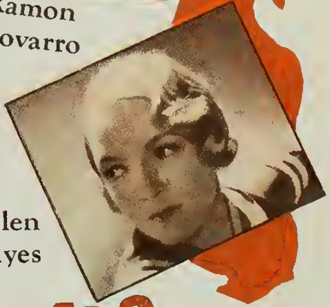
FOURTEEN MARQUEE PICTURES

Showmanship ideas, new slants in production, with casts of top-notch names...Marquee Pictures over a period of several years have won a high rating for consistent entertainment delivery!

SHORT SUBJECTS

(Two Reels)
HAL ROACH M-G-M COMEDIES
3 LAUREL-HARDY
8 CHARLEY CHASE
7 IRVIN S. COBB
8 TODD-KELLY
6 OUR GANG
6 M-G-M MUSICAL REVUES IN TECHNICOLOR

(One Reel)
12 PETE SMITH ODDITIES
6 PETE SMITH GOOFY MOVIES
13 M-G-M MUSICAL CARTOONS IN COLOR
8 FITZPATRICK TRAVELTALKS IN TECHNICOLOR
104 ISSUES HEARST METROTONE NEWS WITH EDWIN C. HILL AS THE GLOBE TROTTER


Helen Hayes

Jeanette MacDonald

Maurice Chevalier

Laurel & Hardy

Constance Bennett
in 1 picture, courtesy 20th Century

William Powell

Myrna Loy

Jackie Cooper

"Wait Mama....if you think my Magazine campaign is great ...... Soon I'll be able to tell you about the biggest BILLBOARD campaign...."
"You're marvelous Leo dear.... but can't you ever forget business!"

Complexities Hit Fox Met Negotiations

(*Continued from page 1*)

Sources close to the bondholders' committee, however, indicated that Judge Mack may have subjected Loew's and Warners' representatives to a little plain-spoken criticism over the slow progress of negotiations for the circuit to date. These sources hold that the court demanded more action on the part of the negotiators as evidence of good faith in order to weigh their proposal against the minority holders' action for reorganization of the circuit.

It was also indicated that Judge Mack may personally observe the remaining negotiations between the Loew-Warner group and the principal bondholders' committee.

These reports, however, were wholly unofficial and could not be verified with those who attended the session in Judge Mack's chambers.

Final Bid Ready on Aug. 6

Loew's and Warners are expected to have their final bid, now reported to be $4,500,000 for the Fox Met bonds, in readiness for submission on Aug. 6, the date of the next scheduled court hearing before Judge Mack.

A postponement of the examination of executives of Loew's and Warners and officers of the main bondholders' committee by Archibald Palmer, attorney for the minority bondholders' group, was ordered yesterday. Palmer on Monday obtained an order from Federal Judge John M. Woolsey authorizing him to begin the examination tomorrow before Special Master John E. Joyce. No explanation was given for the postponement and no later date was set up to early last evening.

Palmer contends that the examination would result in providing the court with information as to the Fox Met assets, which would indicate that stockholders and other creditors of the company, as well as bondholders, would derive some benefits from reorganization of the circuit under the new bankruptcy laws, whereas none but bondholders would benefit from a sale to Loew's and Warners.

Schine Subsidiary Wins

Buffalo, July 31.—The Dominion Operating Co., a subsidiary of Schine Enterprises, won two cases before the local grievance board today. In one the Orpheum at Oswego was ordered to end a pony giveaway contest on a complaint brought by the Capitol and Strand in the same city. In the other the Palace, Syracuse, was ordered to stop premature advertising.

Norwich Case Reopened

Albany, July 31.—Following instructions from Campi to admit evidence regarding terms of license agreements prior to Dec. 7, last, the grievance board has reopened William C. Smalley's overbuying complaint against Schine in Norwich.

New Clearance Is Set in 23 Of Key Cities

(*Continued from page 1*)

Charlotte—Newton and Hickory, N. C.; Anderson, S. C.
Chicago—Metropolitan Chicago, downstate (Illinois and Indiana).
Cincinnati—Greater Cincinnati, Dayton, Columbus; Ashland, Ky.; Greenville, Piqua, Troy, Tippecanoe, O.
Cleveland—Cleveland, Toledo.
Dallas—entire territory.
Denver—Denver, Littleton, Colo.
Detroit—Detroit, Grand Rapids.
Indianapolis—Indianapolis, Louisville, Ft. Wayne, Lafayette, Terre Haute, Evansville, Anderson, Muncie, Logansport, Marion, Richmond, Peru, New Castle, New Albany, Huntington, Bloomington, Vincennes, Frankfort.
Kansas City—Kansas City, Wichita, St. Joseph, Atchison.
Los Angeles—entire territory.
Memphis—entire territory.
Milwaukee—Milwaukee.
New Haven—New Haven, Hartford, Bridgeport.
New Orleans—New Orleans, including Marrero, Westwego, Gretna and Harvey.
Omaha—special instructions.
Portland, Ore.—Portland.
Salt Lake City—Boise, Id.; Provo, Utah.
San Francisco—San Jose (Santa Clara and Willow Glen), 1st run Modesto over Turlock.
St. Louis—Alton, Belleville, Centralia, Jerseyville, Springfield, Ill.; Kirkwood, Mo.; East St. Louis.
Seattle—Everett, Bremerton, Olympia, Seattle, Spokane, Tacoma, Wenatchee.

Board Backed in 1st Tie-in Test Case

Holding that contracts for features and shorts were executed before the effective date of the code and that there is little question that the complainant was forced to buy a greater number of shorts than he required, Campi has affirmed the decision of the New Haven grievance board in the first test case involving tying in of features and shorts.

The complaint was brought by Whalley Theatre, New Haven, against Paramount and after being dismissed by a three-to-one vote by the New Haven board was appealed.

Decisions of local boards in three overbuying cases were also upheld by Campi. They were: Robert Z. Glass, Rio, Beaumont, Tex., against Jefferson Amusement Co., same city; Gonzalo Benzanilla, Palace, Key West, Fla., against Juan Carbonell, Strand, same city; Lake Theatre Corp.'s Lake, Michigan City, Ind., against Michigan City Theatre Corp.'s Tivoli, same city.

Local boards in each instance dismissed the complaints.

L.A. Board Upholds Clause to End Duals

(*Continued from page 1*)

which means the elimination of doubles as far as this territory is concerned.

The board, however, will make certain changes in the penalty of being set back 182 days on the ground that this is insufficient penalty for neighborhoods over first runs.

The board has deceided in favor of Thursday openings, starting Aug. 15. This applies to all first runs. The board also decided definitely that 50 cents should be the minimum for all preview showings where the preview is advertised. This includes shorts, as well.

Philadelphia Zoning Put Off for Present

(*Continued from page 1*)

given up its idea of rezoning the intricate West Philadelphia setup. This decision, however, has been countered by an appeal which may later make such action necessary.

The original West Philadelphia case was brought up by the Ambassador seeking better clearance relations with the Benn. The board decided that the adjustment would affect too many West Philadelphia houses for an immediate decision and planned a community rezoning. Though this plan is now abandoned, the Ambassador has launched an appeal which may open it again.

The board, confronted with a virtual rezoning situation along the Philadelphia Main Line, revised its decision in the case of the Narberth and the Ardmore to avoid a similar situation. In the original case, the Ardmore was cleared ahead of several Main Line theatres. The readjustment makes this case refer only to the two theatres named.

The Catasaqua, up state, has appealed the board's decision in its case with the Northhampton. The board named them as competitive, giving seven days' clearance to the first run purchaser. The Catasaqua is demanding day and date playings.

Under the new ruling, all these appeal hearings will be heard in Philadelphia instead of New York, before a jury composed of one central Code Authority officer and a distributor and an exhibitor not on the local clearance board. Date for the hearings has not yet been set.

Guilds Are Told to Solve Own Problems

Hollywood, July 31.—In a long conference with the five-five committees of writers and actors, Division Administrator Sol A. Rosenblatt advised them to work out their own problems without publicity. The responsibility is theirs, he told them.

"You have the facilities of Code Authority, Major J. O. Donovan is at your service, and if you care to hire your own secretary, you must pay for the service," he said.

Four Appeals Are Heard

Four Campi appeals were heard yesterday by a committee consisting of Neil Agnew, Joseph Seider and W. C. Michel, chairman. They were:

E. B. McCurdy, Columbia, Baltimore, against Leon Zeller, Roy, same city, on reduced admissions; Wallack's, New York, against Liberty, New York, transfer of bookings; Wallack's against Liberty on negotiating for theatre while being operated by Max Cohen; Martha Dixon and Mary A. Rosetti, Luxor, New York, against Luxor-Bleecker Amusement Corp., New York, interference with lease.

Dillard Joins Campi

Tyree Dillard, Jr., formerly of the NRA legal staff in Washington under Division Administrator Sol A. Rosenblatt, has joined Campi, handling legal opinions on decisions handed down by appeals committees.

Banned Films List Reduced In St. Louis

(*Continued from page 1*)

been made regarding a change in the Legion list, but it is understood that the Better Films Council and its allied groups are now satisfied to have "Fog Over Frisco," "He Was Her Man," "Springtime for Henry," "A Very Honorable Guy," "Merry Wives of Reno," "Upper World," "Smarty," "The Notorious Sophie Lang," "I've Got Your Number," "Girl Without a Room" and "Dr. Monica" exhibited for adult audiences.

Those remaining under the complete ban are "The Life of Vergie Winters," "Laughing Boy," "Kiss and Make Up," "Here Comes the Groom," "Born to Be Bad" and "Journal of a Crime."

The tendency now in ecclesiastical circles, both Catholic and Protestant, seems to be one of waiting for results.

Ohio Passes "Bondage"

Columbus, July 31.—"Of Human Bondage," viewed with considerable indecision by the Ohio censors, and held in abeyance for reconsideration, finally has been passed and it opened at the RKO Palace, Cleveland, Friday.

It is booked at the RKO Palace here and the RKO Albee, Cincinnati, to open this week. Bookings at all three houses have been set back several times because of delay in the Ohio release.

Breen O.K.'s Some More

Hollywood, July 31.—Joseph I. Breen has added the following features to those approved by him: "Wanted," "Judge Priest" (Fox); "Straight Is the Way," "Hide-out" (M-G-M); "Desirable," "Big-Hearted Herbert" (Warners); "The Lady Is Willing," "Among the Missing" (Columbia); "One More River" (Universal).

Thompson Returns Today

Hollywood, July 31. — Lester Thompson of the Hays office returns to New York tomorrow night after conferences with Joseph I. Breen.

Report FWC-Leo Dicker

San Francisco, July 31.—F. W. C. is reported negotiating with Jack Leo to take over the Fox.

Confirmation of the coast report was lacking at Skouras headquarters here yesterday.

FWC-Columbia Deal On

Negotiations are under way between Spyros Skouras, Edward Alperson and Jack Sullivan and Columbia home office executives whereby the latter's product would play over the entire Fox West Coast houses.

Terry, Mosher Hosts

Paul Terry and Frank Mosher, producers of Terrytoons, gave a dinner last night for all the company employes in honor of the opening of the new studio in New Rochelle.

Court Chops Para. Fees by $63,000

(Continued from page 1)

Paramount bondholders' group, and one of the principal objectors to the payment of the fees sought, indicated yesterday that he was satisfied with the fees as allowed by Judge Woolsey. Saul E. Rogers, attorney for another bondholders' group, who also opposed the fees as originally petitioned and looked upon the reductions made by Referee Davis as insufficient, indicated that he was still dissatisfied with the amount of the allowances and might seek further action in the U. S. Circuit Court of Appeals next fall in an attempt to obtain further reductions.

Called Receivership Invalid

Zirn and Victor House, also attorney for a Paramount bondholders' group, argued that the Paramount equity receivership was invalid in opposing payment of the fees before Judge Woolsey last winter. In his deciding memorandum, Judge Woolsey points out that the Federal courts have overruled their objections and states that there is no reason for reopening the testimony in those cases.

The petition of Adolph Zukor, who served as co-receiver of Paramount with Charles D. Hilles, is disallowed entirely by Judge Woolsey because of the pending action of the trustees in bankruptcy against Zukor and other directors of Paramount on the 1930-32 boards to recover up to $13,600,000, alleged to have been authorized by the directorate for the repurchase of Paramount stock issued for the acquisition of theatres. Judge Woolsey's memorandum, however, disallows Zukor's fee without prejudice to reinstate the claim after final determination of the trustees' suit. Zukor's original petition for services as receiver was for $23,500. This had been later reduced by Referee Davis to $18,500.

Other Fees Are Slashed

The original application of Root, Clark, Buckner & Ballantine for legal fees of $125,000 for services as counsel to the receivers, was reduced to $75,000 by Judge Woolsey. It had been previously reduced to $100,000 by Referee Davis. Hilles' application for $30,000 fees as co-receiver is allowed by Judge Woolsey in the amount of $20,000. Referee Davis had reduced the claim to $25,000.

Rosenberg, Goldmark & Colin, attorneys for Paramount during the receivership, end up with their original application for $30,000 reduced by one-half. Referee Davis allowed the claim in the amount of $25,000. Judge Woolsey's final ruling reduces the fee another $10,000.

The application of Cravath, De Gersdorff, Swaine & Wood, counsel for Paramount in the anti-trust suit brought against it by Joseph Quittner of Middletown, N. Y., several years ago, is allowed without reduction at $15,000. All other legal fees, likewise, remained undisturbed. These were for smaller amounts for proceedings in ancillary receiverships at Los Angeles, Chicago and other situations where Paramount has large property interests and were not opposed by creditors at the time they were submitted to the court.

The $105,000 fees are for services rendered in connection with the Paramount receivership only, which extended from Jan. 26, 1932, up to the final appointment of trustees in bankruptcy, about three months later. None of the costs of administering the estate in bankruptcy are reflected in the $105,000 allowances.

MPTOA Describes ASCAP As Restraint of Trade

(Continued from page 1)

"that it (ASCAP) is a monopoly in restraint of trade, an illegal price fixing combine for which there is no more justification than there would be for a similar combine licensing all talking pictures and fixing film rentals arbitrarily for all theatres.

"It is proposed to attack the combine in court under the anti-trust laws and otherwise. Competent attorneys will be secured to prepare and try test cases."

The bulletin also urges every exhibitor to contact senator and congressmen and demand "a thorough and rigid Congressional investigation" of the activities of ASCAP.

Exhibitor leaders here yesterday described a statement given out Monday by E. C. Mills, general manager of the ASCAP, in which it was stated the society stood ready to negotiate with exhibitors, as a "clever maneuver" by the organization.

See Real Issue Clouded

"First, the society attempts to cloud the real issue involved here by disclaiming in paid advertisements any responsibility for score charges," one said. "What have score charges to do with seat taxes increased from 300 to 1,000 per cent? Now, the ASCAP lets out word by an indirect medium that it is willing to 'negotiate' with us. In other words, they want us to go on record as admitting that some increase in seat taxes should be made and are willing to negotiate with us the amount of increase.

"The position of the emergency committee is that no increase whatever in the seat tax is justified at this time and we stand ready to back that position to the limit."

Others refuted Mills's statement that the society now collects only $600,000 annually from theatres and that the new rates would only slightly more than double that revenue.

"The $600,000 must be net profit to the society from its theatre collections," one said. "It has a brilliant and numerous legal staff all over the country which has to be paid first."

Indications are that the legal committee of the exhibitors' emergency committee, consisting of attorneys for the exhibitor associations and the national circuits, will meet soon and draft a court campaign against the society. The prosecution of the plan will then be turned over to a prominent law firm. A war chest for the purpose is expected to be raised by the emergency committee at once.

Tri-State MPTO Moves To Fight ASCAP Rates

MEMPHIS, July 31.—The executive committee of the M.P.T.O. of Mississippi, Arkansas and Tennessee has set October 14-15 for the meeting here at the Chicsa Hotel. The committee plans to carry a fight to Congress against a proposed increase in music fees by A.S.C.A.P. and also to renew an attack against the Mississippi amusement tax.

Ed Kuykendall, president of the M.P.T.O.A. attended the meeting and went on to New Orleans on Campi business. While here he indicated the entire clearance setup worked out by the Memphis board may be changed because of heavy protests. He also warned against professional reformers in the clean film movement now sweeping the country, but declared the industry would welcome any sincere movement for entertainment in good taste.

Brient Warns Virginia Showmen on Music Taxes

RICHMOND, July 31.—Members of the M. P. T. O. of Virginia were warned today by Elmer H. Brient, secretary of the organization, not to be confused by the statement of the American Society of Composers, Authors & Publishers that it did not receive score charges, which he described as a "blind" in the society's maneuvers to enforce its drastically increased seat taxes on Oct. 1.

Brient declared that local exhibitors are not fighting the score charge but are fighting the 300 to 1,000 per cent increases in seat taxes and would stand behind the national campaign of opposition being launched by the national exhibitors' emergency committee in New York.

Takes on New Houses

MILWAUKEE, July 31.—The Wisconsin Amusement Enterprises has taken over Fred S. Meyers' Alhambra here and will reopen Aug. 18. The same company will operate the Brin Theatre in Menasha, the Downer and Sherwood here and the Oriental Tower starting Sept. 1.

Flash Review

Romance in the Rain— . . . top-notch program fare for general appeal. . . .

This film will be reviewed in full in a later issue of MOTION PICTURE DAILY.

Has New Art Posters

Celebrity Prod. announces that in the future it will issue individual one-sheet posters on each "ComiColor" subject instead of the regulation stock one-sheets for all series of shorts. The paper will be made from special line drawings with the colors blocked in to obtain exceptional brilliancy as well as clarity of illustration, according to the firm. The new posters will be issued on all new "ComiColor" cartoons beginning with "Aladdin and the Wonderful Lamp."

O'Connell to Be Feted

SYRACUSE, July 31.—A reception in honor of Hugh O'Connell, is being arranged by the newspaper boys of this city, where the actor once served in stock. The date is Aug. 4.

15 Films Underway At Para. in August

HOLLYWOOD, July 31.—Snapping out of its summer lethargy, Paramount will throw into production 15 films on the new schedule between now and Aug. 20. All are ready for shooting.

First to go into production will be "Enter Madame," "The Lemon Drop Kid," "Limehouse Nights" and "Ready for Love." These will be followed by "Lives of a Bengal Lancer," "Yours to Command" and "College Rhythm." Three others—"Ruggles of Red Gap," "Here Is My Heart" and "Back Porch"—will be started on Aug. 6. Another batch of three will go before the cameras a week later. These are "Red Woman," "The Range" and "All the King's Horses.." The last of the group of 15—"The Case Against Mrs. Ames" and "Shoe the Wild Mare"—will get under way Aug. 20.

Studio officials announce that if present production plans are followed, the company will place another 14 films before the cameras in September.

Arthur May Reveal St. Louis Plan Soon

ST. LOUIS, July 31.—Harry Arthur leaves for New York tomorrow morning. Upon his arrival there it is understood he may definitely announce complete plans for the Fanchon and Marco organization in the St. Louis territory. Today he conferred on future policies of the five F. & M. theatres here and sought out views of other exhibitor interests regarding the elimination of duals. He is personally favorable to single features with a reasonable clearance over subsequent runs, provided they also eliminate doubles.

It was announced today the Ambassador will reopen Aug. 10 and play "Handy Andy" day and date with the Fox, another F. &. M. house, while the Missouri is scheduled to reopen on Aug. 16.

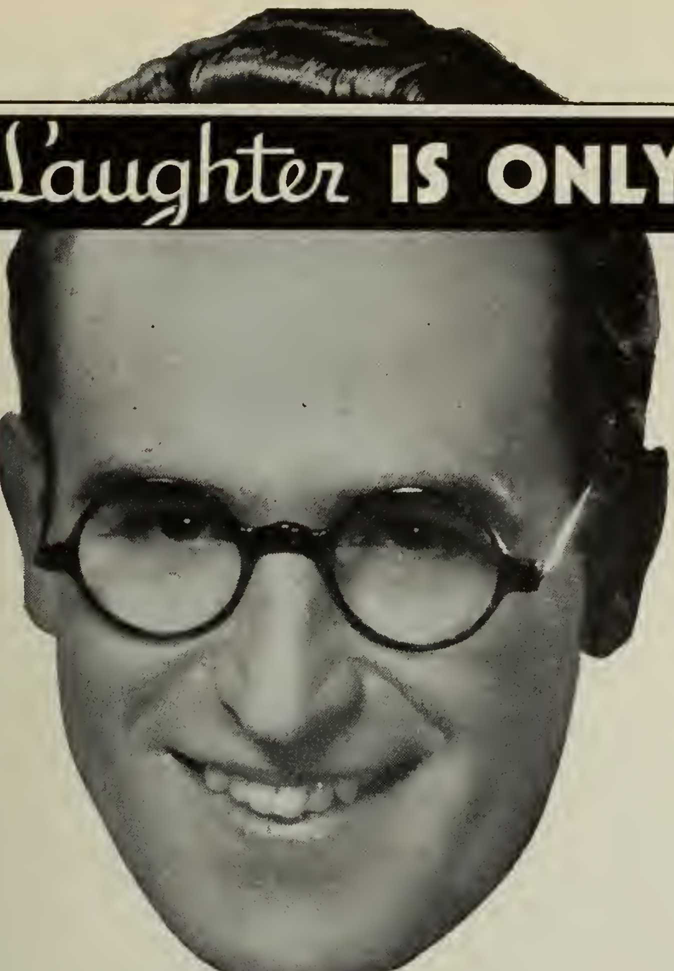
B. & K. and J. L. & S. Get Two in Chicago

CHICAGO, July 31.—Latest moves in the Loop theatre situation find Balaban & Katz opening the rejuvenated Apollo on Randolph St. and Jones, Linick & Schaefer meeting this situation by acquiring the La Salle on Madison St.

The La Salle has been operated as a grind house by R. Christensen and goes to J. L. & S. from the Marshall Field estate. The house will be opened about the middle of October after J. L. & S. have put an announced $40,000 into doing a complete remodeling job.

"Bread" Has Preview

CHICAGO, July 31.—King Vidor's "Our Daily Bread" was shown at a special preview here last night at the Lagoon Theatre, World's Fair. This was called the industry's first international preview and was attended by 15,000 persons, including representatives from every state and many foreign countries and the governors of Illinois, Massachusetts, Mississippi, Rhode Island, Vermont and South Carolina.



Laughter IS ONLY THE Half OF IT!

- It has every bit of the drama, romance, thrills and humor of Clarence Budington Kelland's most popular story—plus Harold Lloyd, as you never have seen him before . . . and the most appealing cast he ever assembled.

HAROLD LLOYD

in The Cat's Paw

with

UNA MERKEL
GEORGE BARBIER
NAT PENDLETON
GRACE BRADLEY
ALAN DINEHART
GRANT MITCHELL

●

From the Saturday Evening Post story
by **CLARENCE BUDINGTON KELLAND**

PRODUCED BY THE
HAROLD LLOYD CORPORATION

A FOX release

Directed by
SAM TAYLOR

"Navy" Heavy K.C. Draw on Double Bill

KANSAS CITY, July 31.—"Here Comes the Navy" and "The Old Fashioned Way" drew $6,900 to the Newman for one of its high grosses of the summer. "Jane Eyre" clicked to the tune of $3,900 at the Uptown, while "I'll Tell the World" and a stage show registered $6,200 at the Tower. Otherwise, the Mainstreet reached average with "We're Rich Again" and "His Greatest Gamble," and the Midland was several hundred dollars below par on "Stamboul Quest."

Total first run business was $32,400. Average is $30,500.

Estimated takings:

Week Ending July 26

"WE'RE RICH AGAIN" (Radio)
"HIS GREATEST GAMBLE" (Radio)
MAINSTREET—(3,100), 25c, 7 days, plus Saturday late show. **Gross:** $6,000. (Average, $6,000)

"STAMBOUL QUEST" (M-G-M)
MIDLAND—(4,000), 25c, 7 days, plus Saturday midnight show. **Gross:** $9,400. (Average, $10,000)

"HERE COMES THE NAVY" (Warners)
"THE OLD FASHIONED WAY" (Para.)
NEWMAN—(1,800), 25c, 7 days, plus Saturday late show. **Gross:** $6,900. (Average, $5,500)

'I'LL TELL THE WORLD" (Univ.)
TOWER—(2,200), 25c, 7 days, plus Saturday midnight show. Stage: "Magic Idea" revue, with Rita Del Gardi & Co., Jue Fong, Frank Shepard, Musical Madcaps, Lester Harding, Stearns & Dean. **Gross:** $6,200. (Average, $5,500)

Week Ending July 27

"JANE EYRE" (Monogram)
UPTOWN—(2,000), 25c, 7 days. **Gross:** $3,900. (Average, $3,500)

Indianapolis Lead Goes to "Stamboul"

INDIANAPOLIS, July 31.—Business was surprisingly good despite the heat. Two first runs topped par and one equalled it. Honors went to "Stamboul Quest," up by $500 with a $5,000 take at the Palace.

"Of Human Bondage" was also in the profit class with $4,500 at the Circle, and "Strictly Dynamite" reached a par $4,000 at the Lyric.

Total first run business was $17,500. Average without the Lyric is $15,000.

Estimated takings for the week ending July 28:

"GRAND CANARY"
APOLLO—(1,100), 20c-40c, 7 days. **Gross:** $2,000. (Average, $2,500.)

"OF HUMAN BONDAGE"
CIRCLE—(2,600), 25c-40c, 7 days. **Gross:** $4,500. (Average, $4,000.)

"STRICTLY DYNAMITE"
LYRIC—(2,000), 25c-40c, 3 days. **Gross:** $4,000. (Average, $4,000.)

"HALF A SINNER"
"EMBARRASSING MOMENTS"
LYRIC—(2,000), 25c-40c, 5 days. **Gross:** $2,000.

"STAMBOUL QUEST"
PALACE—(2,800), 25c-40c, 7 days. **Gross:** $5,000. (Average, $4,500.)

Mrs. MacLevy Dies

SYRACUSE, July 31.—Mrs. Irene MacLevy, 24, wife of Monty MacLevy, publicity and exploitation director for the Frisch & Rinzler circuit, Brooklyn, died here today. Burial will take place tomorrow.

N. O. Stays Calm

New Orleans, July 31.—Mae West's latest, "The Gay Nineties," has been booked into the Saenger for Aug. 3, and the city is quite calm about it.

About three weeks ago when it was proposed to call the feature "Belle of New Orleans" all the women's clubs and other civic groups got all "het up," claiming aspersions were being cast on the city.

"Clown" Holds Up In Montreal Slump

MONTREAL, July 31.—With a big top currently in town, Montreal was circus-minded and the fans went for Joe E. Brown in "Circus Clown" at the Palace Theatre during the week ending July 28, the result being a good $8,000—the best take of the hot spell.

"Jane Eyre" and "Here Comes the Groom" registered $6,500 at the Capitol, while Loew's was up a bit to $5,000 for "Murder on the Blackboard" and "Strictly Dynamite." The Princess was steady at $5,000 for "Cockeyed Cavaliers" and "Success at Any Price."

Total business was $28,500. Average is $43,000.

Estimated takings for the week ending July 28:

"JANE EYRE" (Monogram)
"HERE COMES THE GROOM" (Para.)
CAPITOL—(2,547), 25c-35c-40c-50c-60c, 7 days. **Gross:** $6,500. (Average, $9,000)

"BEFORE MIDNIGHT" (Col.)
"FISHING FOR TROUBLE" (U. A.)
IMPERIAL—(1,914), 25c-40c-50c, 7 days. Stage: Ten vaudeville acts. **Gross:** $4,000. (Average, $6,500)

"MURDER ON THE BLACKBOARD" (Radio)
"STRICTLY DYNAMITE" (Radio)
LOEW'S—(3,115), 25c-35c-50c-65c, 7 days. **Gross:** $5,000. (Average, $10,500)

"CICUS CLOWN" (F. N.)
"THE RETURN OF THE TERROR" (F. N.)
PALACE—(2,600), 25c-35c-50c-60c-75c, 7 days. **Gross:** $8,000. (Average, $11,000)

"COCKEYED CAVALIERS" (Radio)
"SUCCESS AT ANY PRICE" (Radio)
PRINCESS—(2,272), 25c-35c-50c-65c, 7 days. **Gross:** $5,000. (Average, $6.000).

Dillinger, Sr., on Indianapolis Stage

INDIANAPOLIS, July 31.—John Dillinger, Sr. is making a series of personal appearances at the Lyric this week. After columns of what might be considered advance publicity, the father of the gangster and other members of the immediate family, approached the Lyric with the proposition which was accepted on a percentage basis. The act opened Sunday but as yet has caused much less excitement at the box-office than the sensationalism of the act might be expected to cause.

One minister in Indianapolis, Rev. Richard M. Millard, pastor of the Broadway M. E. Church, denounced the "commercialism" of the act. Corbin Patrick, dramatic critic of *The Indianapolis Star,* said in his column that the act was not legitimate entertainment.

The act lasts 15 minutes and takes the form of an interview. It is evident that there are no thespians in the Dillinger family.

"Navy" Pulls Big $11,000 In Pittsburgh

PITTSBURGH, July 31.—Despite the worst heat spell of the summer, downtown Pittsburgh showed a decided improvement last week. The Stanley, with "Here Comes the Navy," topped average by $2,000 at $11,000 for its best gross in several months.

At the Penn, "The Old Fashioned Way" had Vincent Lopez and his unit to bolster it on the stage and did very nicely at $20,500, while the Warner likewise turned in a little profit with "Return of the Terror" and "I Give My Love." The gross was around $5,500, which is all right here.

Total grosses in three first runs were $37,000. Average is $34,000.

Estimated takings for the week ending July 28:

"THE OLD FASHIONED WAY" (Para.)
PENN—(3,300), 25c-75c, 6 days. Stage: Vincent Lopez band with Saxon Sisters, Gaudsmith Brothers, Florence and Alvarez. Edna Sedgwick, Fred Lowry and Frances Hunt. **Gross:** $20,500. (Average, $20,000)

"HERE COMES THE NAVY" (Warners)
STANLEY — (3,600), 25c-50c, 6 days. **Gross:** $11,000. (Average, $9,000)

"RETURN OF THE TERROR" (Warners)
"I GIVE MY LOVE" (Univ.)
WARNER—(2,000), 25c-40c, 6 days. **Gross:** $5,500. (Average, $5,000)

"Canary," "Elmer" Lead in Portland

PORTLAND, July 31.—"Grand Canary," augmented by "Elmer and Elsie," were just good enough to bring Paramount's figures up to average in what is deemed the final week of strike.

Total first run grosses hit a new low with $20,000. Average is $22,000.

Estimated takings for the week ending July 25:

"RETURN OF THE TERROR" (F. N.)
"DISRAELI" (Warners)
BROADWAY—(1,912), 25c-35c-40c, 7 days. **Gross:** $4,600. (Average, $5,000)

"DR. MONICA" (Warners)
HAMRICK'S MUSIC BOX—(2,000), 25c-35c-40c, 7 days. **Gross:** $2,800. (Average, $3,000)

"WE'RE RICH AGAIN" (Radio)
"SEA KILLERS"
HAMRICK'S ORIENTAL—(2,040), 25c, 7 days. **Gross:** $2,000. (Average, $2,000)

"THE LOST JUNGLE" (State Rights)
PANTAGES—(1,700), 15c-25c, 7 days. Stage show. **Gross:** $1,600. (Average, $2,000)

"GRAND CANARY" (Fox)
"ELMER & ELSIE" (Para.)
PARAMOUNT—(3,008), 25c-35c-40c, 7 days. **Gross:** $5.000. (Average, $5,000)

"THE MAN WITH TWO FACES" (F. N.)
UNITED ARTISTS—(945), 25c-35c-40c, 7 days. **Gross:** $4,000. (Average, $5,000)

Schreiber Sues for Booking Injunction

DETROIT, July 31.—In a suit filed in U. S. District Court here Jacob Schreiber charges pressure was used by Co-Operative Theatres, the new Mid-States setup, in buying 1934-35 product away from his houses. An injunction is asked. Hearing has been set for Aug. 6.

Schreiber operates the Colonial, Majestic, Fine Arts, Blackstone No. 2 and Forest. Restraint of trade is alleged, and in the complaint Schreiber charges that reorganization of Mid-States about three weeks ago was illegal.

Frisco Picks Up; "Bondage" Gets $16,200

SAN FRANCISCO, July 31.—Business picked up here last week following the strike ending. "Of Human Bondage" and a stage show went to $16,200, topping normal by $3,200. It was held for a second week.

"Handy Andy," also with a vaudeville show and a stage band, pulled a good $20,000 at the Warfield, but other first runs failed to show much activity. United Artists will reopen Aug. 4.

Total first run business was $54,700. Average is $58,000.

Estimated takings:

Week Ending July 25:

"OF HUMAN BONDAGE" (Radio)
GOLDEN GATE—(2,600), 25c-35c-40c, 7 days. Stage: Band. **Gross:** $16,200. (Average, $13,000)

"CHARLIE CHAN'S COURAGE" (Fox)
"KISS AND MAKE UP" (Para.)
PARAMOUNT—(2,670), 15c-35c-40c-65c, 7 days. **Gross:** $9,000. (Average, $12,000)

Week Ending July 26:

"IN LOVE WITH LIFE" (Invisible)
"HAPPY LANDING" (Monogram)
FOX—(4,600), 10c-15c-25c, 7 days. **Gross:** $5,500. (Average, $7,000)

"MIDNIGHT ALIBI" (Warners)
"SHE WAS A LADY" (Fox)
ST. FRANCIS—(1,400), 15c-25c-40c-65c, 7 days. **Gross:** $4,000. (Average, $8,000)

"HANDY ANDY" (Fox)
WARFIELD—(2,700), 25c-35c-55c-65c, 7 days. Stage: Vaudeville, Band. **Gross:** $20,000. (Average, $19,000)

"Moments," Revue Top in Oklahoma

OKLAHOMA CITY, July 31.—"Embarrassing Moments," helped by a stage show called "Penthouse Follies," put over the only big business here last week, with $2,000 for four days at the Liberty. In the remaining three days of the week the take was $1,000.

Other first runs were off. Total first-run business was $12,600. Average is $13,500.

Estimated takings for the week ending July 28:

"OF HUMAN BONDAGE" (Radio)
CRITERION—(1,700), 10c-20c-36c-41c-56c, 7 days. **Gross:** $3,900. (Average, $5,000)

"HERE COMES THE NAVY" (Warners)
MIDWEST—(1,500), 10c-26c-36c-56c, 7 days. **Gross:** $3,500. (Average, $4,000)

"THE KEY" (Warners)
CAPITOL—(1,200), 10c-20c-26c-36c-41c, 7 days. **Gross:** $2,200. (Average, $2,500)

"EMBARRASSING MOMENTS" (Univ.)
LIBERTY—(1,500), 10c-15c-26c-36c, 4 days. Stage: "Penthouse Follies." **Gross:** $2,000. (Average week, $2,000)

"SPRINGTIME FOR HENRY" (Fox)
LIBERTY—(1,500), 10c-15c-26c-36c, 3 days. **Gross:** $1,000. (Average week, $2,000)

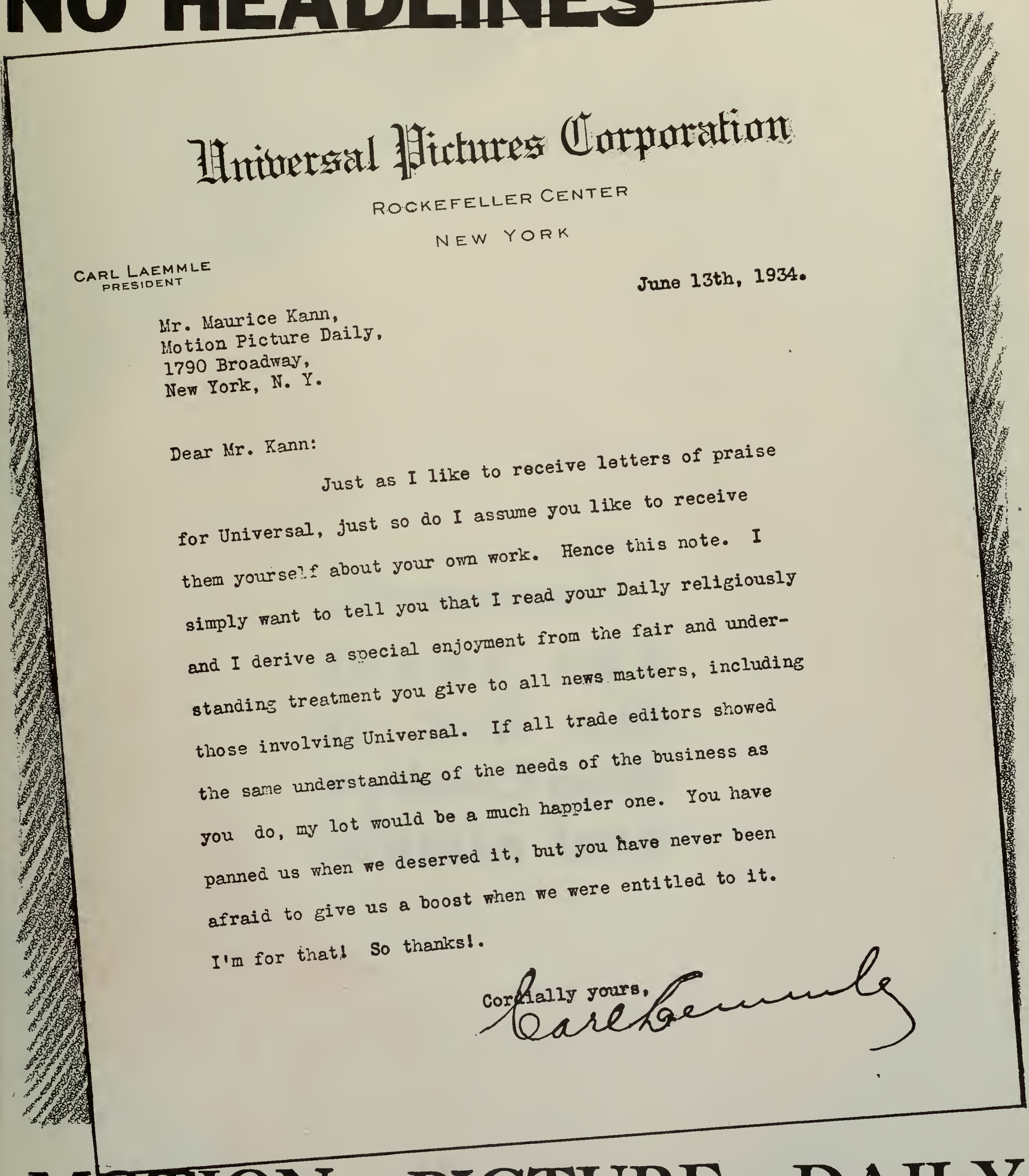
Iris Reopens on Coast

HOLLYWOOD, July 31.—The Gore brothers reopened the Iris today. The house, which had been closed for remodeling, will operate on a subsequent dual feature policy.

Hamilton Rialto Opens

HAMILTON, O., July 31.—The Rialto, local unit in the Taft circuit, closed for the past 30 days, has reopened. The Palace, a sister house, will close during August.

THIS PAGE NEEDS NO HEADLINES



Universal Pictures Corporation
ROCKEFELLER CENTER
NEW YORK

CARL LAEMMLE
PRESIDENT

June 13th, 1934.

Mr. Maurice Kann,
Motion Picture Daily,
1790 Broadway,
New York, N. Y.

Dear Mr. Kann:

Just as I like to receive letters of praise for Universal, just so do I assume you like to receive them yourself about your own work. Hence this note. I simply want to tell you that I read your Daily religiously and I derive a special enjoyment from the fair and understanding treatment you give to all news matters, including those involving Universal. If all trade editors showed the same understanding of the needs of the business as you do, my lot would be a much happier one. You have panned us when we deserved it, but you have never been afraid to give us a boost when we were entitled to it. I'm for that! So thanks!.

Cordially yours,
Carl Laemmle

MOTION PICTURE DAILY

"SHE LOVES ME NOT" SURE-FIRE"

—*Hollywood Reporter*

"IT'S A KNOCKOUT!"

—*N. Y. Mirror*

"SIX-RING CIRCUS!"

—*World-Telegram*

"GLORIOUSLY COCKEYED!"

—*N. Y. Evening Post*

"SMASH HIT" One of the Most Enjoyable Comedy Romances in Years. An Assured Clean-up for All-around Appeal"

—*Film Daily*

BOX-OFFICE

"CORKING GOOD BOX-OFFICE"

—*Walter Vincent, Wilmer & Vincent*

"FUN IN CARLOAD LOTS"

—*M. P. Herald*

"Howls and Hoorays for the Funniest Farce in Practically Any Vicinity"

—*N. Y. American*

"A SMASH HIT"

—*Milton Feld, Monarch Theatres*

"I Laughed So Heartily That the Tears Came"

KNOCKOUT

MOTION PICTURE DAILY

Cast: Bing Crosby, Kitty Carlisle, Lynne Overman, Judith Allen, George Barbier, Henry Kolker, Maude Turner Gordon, Margaret Armstrong, Ralf Harolde, Matt McHugh, Franklyn Ardell,

"She Loves Me Not" (Paramount)

HOLLYWOOD, July 1.—"She Loves Me Not" clever comedy situations made possible by the complications through the capable delineations headed by Bing Crosby, Miriam Hopkins, Henry Stephenson,

Paramount's

"She Loves Me Not" is Bing Crosby's best picture

The Leading
Daily
Newspaper
of the
Motion
Picture
Industry

MOTION PICTURE DAILY

Alert,
Intelligent
and
Faithful
Service to
the Industry
in All
Branches

VOL. 36. NO. 27 NEW YORK, THURSDAY, AUGUST 2, 1934 TEN CENTS

Court Moves Seen Clouding Fox Met Title

Testimony of Minority Group Held Vital

The charge that no clear title to Fox Metropolitan Playhouses can be delivered until the minority bondholders' actions for reorganization of the circuit under the new bankruptcy laws and for an examination of representatives of Loew's, Warners and Fox Met. bondholders' committee have been decided was made yesterday by Archibald Palmer, attorney for the minority holders at a special hearing before Federal Judge Julian W. Mack.

Judge Mack on Tuesday vacated an order signed by Federal Judge John M. Woolsey the day before

(*Continued on page 6*)

Fox Unit Acquiring Wisconsin Theatres

MILWAUKEE, Aug. 1.—Wisconsin Amusement Enterprises, Inc., Fox subsidiary, is strengthening its hold here and in the state with the acquisition of the Alhambra, operated until its closing a month ago by Fred S. Meyer; the Oriental and Tower, and the Downer and Shorewood, all neighborhood houses.

The Oriental and Tower were formerly a part of the original Fox Midwesco circuit and have been operated for the past year by John Jones, while

(*Continued on page 6*)

RKO Acquires Four More Local Houses

Continuing its local expansion program, RKO has closed deals for four theatres. At the same time the circuit is restoring vaudeville in eight other houses.

New theatres to come under the RKO wing are: Utica, Brooklyn; Alden, Jamaica; Hollywood and Apollo in lower Manhattan.

Houses restoring vaudeville are the Madison, Yonkers, New Rochelle, Mt. Vernon, Fordham, Flushing, Kenmore and Franklin.

Mexico City Shifts Delayed by Strike

MEXICO CITY, Aug. 1.—Inauguration of the Iris and Politeama as film houses, scheduled for Aug. 3, has been halted as a result of a strike of employes who will be dismissed when

(*Continued on page 8*)

Agreement Is Reached to Drop Dual Bills in Jersey on Sept. 3

Twin bills will be dropped in New Jersey Sept. 3 as a result of an agreement reached between Allied of New Jersey members and major circuit operators.

At the regular meeting of the unit in Asbury Park Tuesday, practically all Allied members signed a compact to drop second features. Warners have agreed to the plan, and it is understood Loew's, RKO, Paramount and Skouras have already agreed to join the move. Signatures of the circuits are expected any day.

Only two Allied members have not gone along on the plan. They are Leon Rosenblatt, who operates 10 houses, and Nathan Meyers, who has the Court, Newark.

Newman Puts Clean Films Move on Air

SEATTLE, Aug. 1.—Clean films are a certainty, declared Frank L. Newman, head of Evergreen States, in a special broadcast following his return from Hollywood. He asked his hearers to believe that producers were making a genuine effort to eliminate causes of criticism.

His frank statements are generally approved in this territory in the industry, as it is felt his formal assurances will help soften the effects of the agitation.

"Orders have been issued by practically all major companies to halt

(*Continued on page 7*)

Report Union Fund Shrinks to $2,000

In a report to the membership of Local 306, Harland Holmden, vice-president of the I.A.T.S.E., now in control, asserted that funds totaling $1,017,000 had been dissipated and that the union has $2,000 in the treasury in 10 bank accounts.

No discussion was permitted. The meeting began early yesterday morn-

(*Continued on page 7*)

Johnston Hits Coast Board's Duals Stand

HOLLYWOOD, Aug. 1.—Independent distributors throughout the country will appeal directly to Campi the decision handed down by the local zoning board in sustaining the clauses in the proposed clearance schedule ending duals and setting a minimum of 50 cents for all preview showings where the preview is advertised, according to a statement made here today by W. Ray Johnston, head of Monogram.

"It is almost a certainty," he said, "that the members of Campi do not want to be part of any ruling that

(*Continued on page 7*)

Union in Sheboygan Appeals Picket Ban

SHEBOYGAN, Wis., Aug. 1.—The operators' union has appealed from an order entered by Federal Judge Ferdinand Geiger granting a temporary injunction against picketing the Rex. The case is slated to be heard in the Circuit Court of Appeals in Chicago this fall.

A complaint has been sent to the

(*Continued on page 7*)

Seasonal Decline in Key Grosses Checked in July

Steady seasonal declines in grosses from 22 key cities which set in during the middle of May and continued through the final week of June were checked slightly during the first week of July.

For the final week of June the total of $1,076,284 was $96,733 under the preceding week, or $1,076,284. In the first July week the total went up to $1,084,997, an increase of $8,713.

New York led the July pickup with

(*Continued on page 6*)

Cancellation of ASCAP Pacts Is Threatened

New Exhibitor Weapon In Higher Tax Fight

Wholesale cancellation of contracts with the American Society of Composers, Authors & Publishers is threatened by exhibitors throughout the country in protest against the new seat tax schedules which the society plans to make effective Oct. 1 and which, it is estimated, increase the music tax now paid by theatres from 300 to 1,000 per cent, it was learned yesterday.

Exhibitor leaders here report that moves are on foot in virtually every key city proposing the cancellation by exhibitors of their A.S.C.A.P. contracts. The move calls for the elimination of films containing copyrighted music from exhibition schedules, the exhibitors to pay for but not play such pictures so that no liability to the society is engendered and, at the same time, film contracts are not broken.

In addition, the campaign will extend exhibitor influence to Hollywood

(*Continued on page 6*)

Seek to Join in Para. B'way Revamp

An action to permit the Paramount Publix trustees and Paramount subsidiaries to participate in the reorganization of Paramount Broadway Corp., the subsidiary holding title to the Paramount Building and theatre, will be heard by Special Master John E. Joyce on Aug. 9.

The petition as filed yesterday also asks approval of the plan of reorganization for the Broadway property and authorization for the Paramount trustees to advance funds required for the reorganization and to take other action to consummate the plan.

The reorganization plan for Para-

(*Continued on page 7*)

Trendle Takes Over Detroit Paramount

DETROIT, Aug. 1.—George W. Trendle has taken over control of the Paramount from the Ketterling Land Co. and intends to reopen the house Sept. 1. The policy has not been settled, but stage shows and films are regarded as probable.

The State, another de luxe spot in the Trendle string, will reopen at the same time and probably will show first run dual bills.

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DAILY

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M-G-M on Signing Spree

Hollywood, Aug. 1.—M-G-M has borrowed H. W. Hanemann from Radio for a special writing job and has also signed Maurine Watkins, writer. Ann Harding has been signatured for "Biography" and Whitford Kane's option has not been exercised. The company has purchased "The Awakening of Helena Ritchie" by Margaret Deland.

Delay Signing Pool Deal

Papers in the pooling deal between Prudential and Century, involving Floral Park, Huntington and Riverhead, are expected to be signed by Joseph Seider and A. H. Schwartz in about a week. Several minor details have to be worked out before signatures are affixed.

Moving M. & S. Offices

Meyer & Schneider, operating 16 houses in the local territory, shortly will move headquarters from the Apollo to the Delancy Theatre.

Halts French Showings

John S. Tapernoux has discontinued his weekly showings of French films on French Line ships during the remainder of the vacation season.

"Rothschild" Gets a 4th

"House of Rothschild," now in its third week at the Rivoli, will be held over for a fourth.

Looking 'Em Over

"The Most Precious Thing in Life"

(*Columbia*)

A variation of the "Madame X" theme with Jean Arthur in the top spot. It is fairly entertaining with Miss Arthur doing unusual characterization work. Richard Cromwell is next in line for honors. Other players lending able support are Donald Cook, Anita Louise, Mary Forbes, Jane Darwell, Ben Alexander, John Wray, Paul Stanton and Dutch Hendrian.

Marrying out of his class, Cook weds Miss Arthur, a waitress, whom he divorces shortly after a son is born due to family pressure. Because the baby will get the luxuries with which Cook's family can endow it, Miss Arthur leaves him with Cook and goes out on her own. She has a hard time of it, ultimately landing at her husband's alma mater as a dormitory "biddy."

Spoiled by his luxurious surroundings, Cromwell enters his father's former college and is immediately recognized by his mother, who holds to her secret. Miss Arthur mothers the boy along and watches him gain the ranking previously enjoyed by Cook.

Cromwell falls in love with Miss Louise and when Cook tries to break off the impending marriage, Miss Arthur sways the boy to heed his father's advice. He loses the closing football game of the season and then decides to guide his own destinies by marrying the girl.

Lambert Hillyer directed. Running time, 70 minutes.

"The Great Defender"

(*B. I. P.-Lou Metzger*)

An English produced effort that should provide good fare as a programmer. The production is good and the direction effective in spots, but some members of the cast are ineffective and out-moded in their acting.

The story concerns a philandering artist who becomes involved with his model and is on the verge of being divorced by his wife whose former sweetheart and present adviser happens to be England's greatest trial lawyer. After a row with the wife, the artist goes to visit his model, only to find her stabbed with a dagger he had given to her. He is accused of her murder. The last half of the film concerns the trial and the defense by the lawyer. The finish is obvious when it is discovered that the fiance of the model is the murderer.

The cast, all English, includes Margaret Bannerman, Arthur Margetson, Richard Bird, Jeanne Stuart and Matheson Lang. Running time, 65 minutes.

"The Girl from Missouri," tomorrow's opener at the Capitol, was reviewed by wire from Hollywood under the title of "Born to Be Kissed," on July 10.

"The Personality Kid," Tuesday night's preview at the Rialto, was reviewed by wire from Hollywood on May 29.

"Handy Andy," tonight's preview at the Roxy, was reviewed by wire from Hollywood on May 1.

"Elmer and Elsie," tonight's preview at the Paramount, was reviewed by wire from Hollywood on July 14.

(*Additional reviews on page* 8)

Stocks on Big Board Advance

	High	Low	Close	Net Change	Sales
Columbia Pictures, vtc	25⅞	24⅞	25⅝	+1¼	600
Consolidated Film Industries	2¾	2¾	2¾	+ ½	100
Consolidated Film Industries, pfd	12⅜	12⅜	12⅜	+ ⅞	100
Eastman Kodak	99	98	99	+2	400
Fox Film "A"	10	9⅝	10	+ ⅞	300
Loew's, Inc.	24	22⅞	23⅝	+1⅛	4,900
Paramount Publix, cts	3¼	3	3⅛	+ ⅛	2,000
Pathe Exchange	1⅜	1⅛	1¼	.....	3,000
Pathe Exchange "A"	14½	14	14½	+1½	800
RKO	1⅞	1⅞	1⅞	+ ⅛	100
Warner Bros.	4	3¾	4	+ ⅜	3,200

Curb Market Shows Better Tone

	High	Low	Close	Net Change	Sales
Sentry Safety Control	¼	¼	¼	.....	100
Technicolor	12⅞	12¾	12⅞	+ ⅜	200
Trans Lux	1⅝	1¼	1⅝	+ ⅜	1,400

Bond Issues Show Sharp Advance

	High	Low	Close	Net Change	Sales
General Theatre Equipment 6s '40	6	6	6	+ ½	2
General Theatre Equipment 6s '40, ctf	5	5	5	.....	1
Loew's 6s '41, ww deb rights	100	99¾	100	+2	11
Paramount Broadway 5½s '51	36	36	36	+ ½	2
Paramount F. L. 6s '47	41	39½	41	+2½	16
Paramount Publix 5½s '50	41¾	41¼	41¾	+2¾	6
Warner Bros. 6s '39, wd	55½	52⅞	55½	+2½	73

Purely Personal

John C. Flinn, Arthur Loew, Lou Metzger, Louis Nizer, Frank Kleebalk, Laurence Bolognino, Joe Bernat, Jack Shapiro, Robert Wolff and Louis Cohen lunched at the M. P. Club yesterday.

N. W. Remond, owner of the Scenic, Lake Wales, Fla., leaves for Saratoga Springs today or tomorrow. He'll spend a month attending the races and returns south some time in October.

Edward Golden, Ed Finney, Fred Hauser, John C. Brownell, writer, and Marty Sampter, Joe Penner's manager, adorning tables at Jack Packard's at the lunch hour yesterday.

Richard Dix, Mitzi Green, Edith Fellows and Wheeler and Woolsey will be featured Sunday on the RKO "Hollywood on the Air" broadcast from the coast at 8:30 P.M. (P.S.T.).

Fredric March and his wife, Florence Eldridge, are vacationing in the Rockies. March has just completed his role in Goldwyn's "We Live Again."

Duke Ellington and his orchestra will open the centennial celebration of the Canadian National Exposition in Toronto on Aug. 24 and 25.

"Lucky" Millinder and the Mills Blue Rhythm Band have been booked for the Capitol for the week beginning tomorrow.

George Seed, brother of Harry A., branch manager for Warners in Buffalo, has joined the M. & S. circuit, managing the Hollywood.

Tim O'Toole, manager of the Columbia Boston exchange, was in town yesterday conferring with Abe Montague.

Lou Bard of Bard's Colorado, Pasadena, Cal., returns home in a day or so after attending a Campi appeal hearing.

Ed McNamee of National Screen Service sailed last night on the *Berengaria* for a three weeks' trip to Europe.

Hampton Howard, assistant manager of the Salem Paramount, passed through town yesterday on his way back from Georgia.

Ad Schulberg arrives from the coast some time next month for a vacation-business trip. She may go to Europe.

Elmer Rhoden leaves for Kansas City tonight after conferring with F.W.C. attorneys on reorganization of Fox Rocky Mountain units.

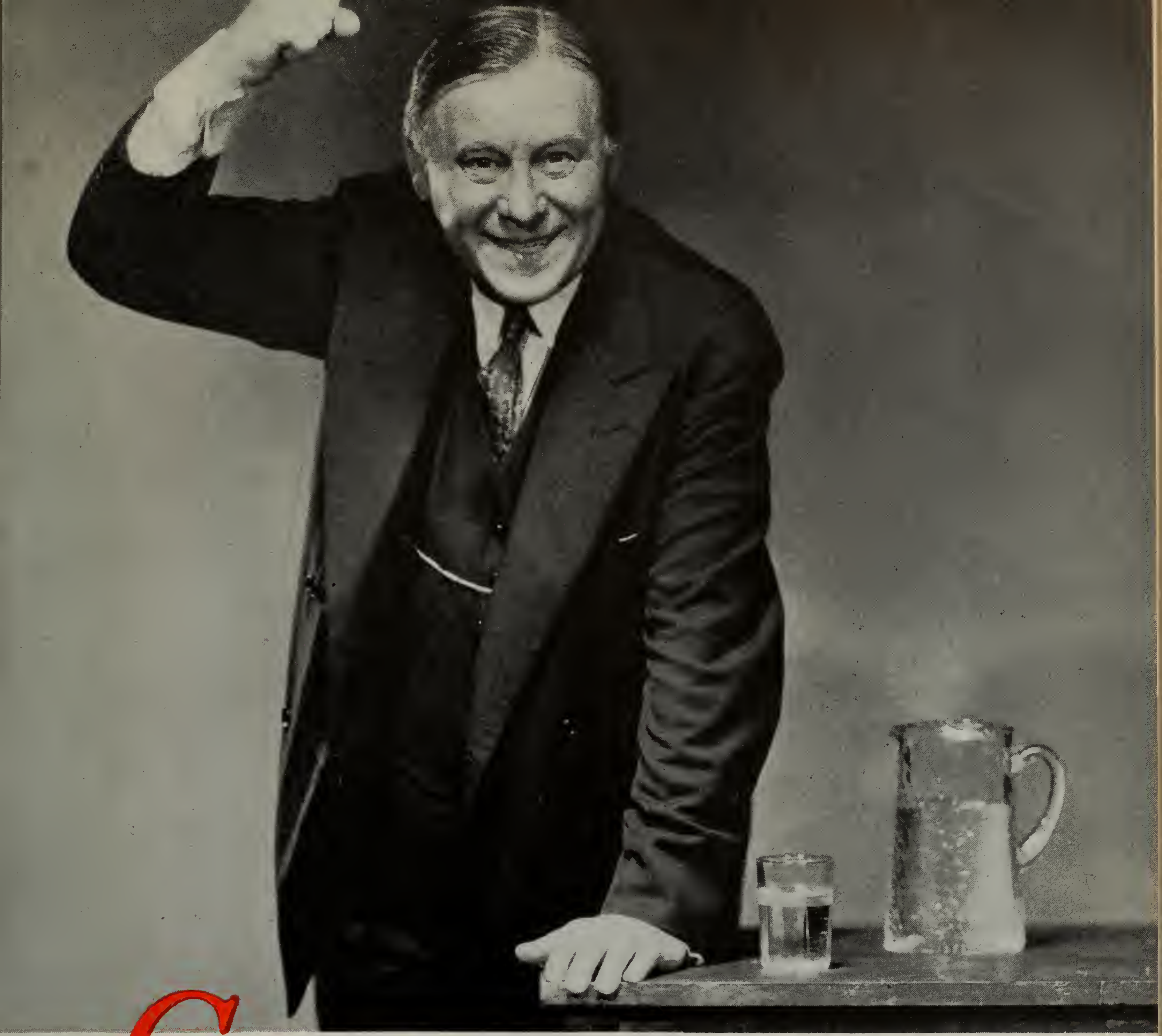
Pat Rooney, Sr., celebrates 42 years on the stage with his appearance at the Capitol the week opening tomorrow.

Jeanne Aubert completes work today at the Brooklyn Vitaphone plant in "Gem of the Ocean," two-reel musical.

Harry C. Arthur and George Skouras return from St. Louis today—but on different trains.

Jacob Wilk leaves tonight for Maine, where he will spend the week-end.

Charles LaMont, who will direct "Gigolette" for Select, has arrived in town.



Gentlemen, I ask you! What is the one topic that is uppermost in the minds of the motion picture exhibitors of this great nation today? . . . . . . My friends, the answer is .

DA

WARNER BROS.' "GOLD

RUBY KEELER • DICK P

ZASU PITTS • GUY KI

Hundreds of Girls in Busby Berkeley's Most Am

"20 Million Sweethearts" Fame . . . 5 Song Hits

MES

GGERS" FOR 1934 WITH

VELL • JOAN BLONDELL

EE • HUGH HERBERT

Dance Creations...Directed by Ray Enright of

arren & Dubin, Fain & Kahal, Dixon & Wrubel

Cancellation of ASCAP Pacts Is Threatened

(Continued from page 1)

studios in an effort to get producers to eliminate copyrighted music entirely from future productions, replacing it with either music written and composed by the producers' own music staffs or music recognized to be in the "public domain" and therefore not subject to copyright licensing.

Exhibitor representatives here point out that the bulk of the copyrighted music now employed in production is ordinarily contained in short subjects and newsreels so that the exhibitor who pays for but does not play these pictures will incur only a modest cost which, in many instances, may be even less than he would be required to pay the A.S.C.A.P. under its new tax schedules.

Exhibitor associations throughout the country will have the plan broached to them for discussion and action within the near future, it was said.

ITOA Plans Own Drive Against Music Tax Rise

Complete cooperation with the exhibitors' national emergency committee and an independent campaign of its own to oppose the new music tax schedules being imposed by the American Society of Composers, Authors & Publishers were voted yesterday at the regular meeting of the I. T. O. A. at the M. P. Club here.

The I. T. O. A.'s own campaign of opposition will be submitted to members by Harry Brandt, president, at the next meeting of the organization, or sooner if circumstances warrant, it was said. Members were advised not to sign any contract with the society without first submitting it to Milton C. Weisman, attorney for the organization, and obtaining his advice.

Allied Mapping Plans To Fight ASCAP Boost

Abram F. Myers, general counsel, and Sidney Samuelson, president of Allied, are now mapping plans to fight increased taxes planned by the American Society of Composers, Authors & Publishers. A bulletin is being prepared for Allied members and will probably go out within the next few days.

The M.P.T.O.A. has already sent out a bulletin to its membership in which it is declared the society's move is a "monopoly in restraint of trade" and an "illegal price-fixing combine."

Mark E. Cory in Hospital

Portland, Aug. 1.—Mark E. Cory, manager of the Radio exchange here, is in the Coffey Clinic for observation. Mrs. Cory was rushed here from the south by plane.

Finish Mae West Film

Hollywood, Aug. 1.—Paramount has completed remaking of the Mae West film and it will be released Aug. 31 as "Belle of the Nineties."

Seasonal Decline in Key Grosses Checked in July

(Continued from page 1)

$75,285. Others which showed slight gains were Cleveland, Chicago, Denver, Kansas City, Minneapolis and St. Paul, Oklahoma City and Washington. A number of the others showed losses.

Comparative grosses for the latest available periods:

	Week Ending July 5-6		Week Ending June 28-29	
	No. Theatres	Gross	No. Theatres	Gross
Boston	6	$102,000	6	$105,500
Buffalo	4	30,300	5	31,500
Chicago	7	114,000	7	126,500
Cleveland	6	33,600	6	33,400
Denver	5	21,750	5	16,700
Detroit	4	48,200	5	67,700
Indianapolis	4	14,500	4	18,500
Kansas City	5	33,000	5	28,200
Los Angeles	7	61,247	8	67,969
Minneapolis	6	28,150	6	27,000
Montreal	5	34,500	5	37,000
New York	9	235,500	8	160,215
Oklahoma City	4	13,500	4	12,600
Omaha	4	23,500	4	23,750
Philadelphia	7	53,700	7	54,800
Pittsburgh	5	36,700	5	42,000
Portland	6	21,300	6	22,600
Providence	5	17,250	6	27,500
San Francisco	6	56,200	6	70,000
St. Paul	4	16,350	4	15,000
Seattle	6	24,150	6	26,250
Washington	6	65,600	6	61,600
	121	1,084,997	124	$1,076,284

Comparative grosses compiled from day-to-day reports for 41 weeks show this:

Week Ending	Theatres	Grosses
September 29-30, 1933	135	$1,342,710
October 6-7	141	1,417,886
October 13-14	143	1,544,838
October 20-21	141	1,581,308
October 27-28	143	1,509,422
November 3-4	142	1,500,740
November 10-11	141	1,379,560
November 17-18	144	1,375,132
November 24-25	141	1,431,209
December 1-2	141	1,418,753
December 8-9	142	1,558,832
December 15-16	139	1,221,032
December 22-23	133	1,071,457
December 29-30	138	1,433,289
January 5-6, 1934	136	1,714,824
January 12-13	138	1,435,649
January 19-20	136	1,305,267
January 26-27	135	1,348,517
February 2-3	135	1,338,371
February 9-10	135	1,270,345
February 16-17	136	1,317,011
February 23-24	136	1,316,421
March 2-3	135	1,350,548
March 9-10	134	1,378,865
March 16-17	133	1,302,020
March 23-24	128	1,291,695
March 30-31	134	1,247,322
April 6-7	135	1,571,695
April 13-14	132	1,360,061
April 20-21	135	1,342,151
April 27-28	133	1,307,764
May 3-4	134	1,256,631
May 10-11	133	1,250,702
May 17-18	133	1,260,655
May 24-25	133	1,209,381
May 31-June 1	132	1,209,113
June 7-8	128	1,123,764
June 14-15	125	1,111,432
June 21-22	127	1,173,017
June 28-29	124	1,076,284
July 5-6	121	1,084,997

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Lose Suit Against M-G-M

Edward Sheldon and Margaret Ayer Barnes have had their plagiarism suit against M-G-M dismissed by Federal Judge John M. Woolsey. They had charged that "Letty Linton" was based on their play "Dishonored Lady." The court held that film and play were both inspired by a similar actual occurrence.

Court Moves Seen Clouding Fox Met Title

(Continued from page 1)

authorizing Palmer to proceed with his examination of the Loew's, Warners and Fox Met. bondholders' committee officers before Special Master John E. Joyce. Palmer asserted yesterday that he would appeal from Judge Mack's action to the U. S. Circuit Court of Appeals today, asking an immediate hearing of the appeal.

Palmer contended that Judge Mack was outside his jurisdiction in vacating Judge Woolsey's order and that in so doing the District Court judge really acted as an appeals court.

Details of a final Loew-Warner bid for Fox Met. were expected to be laid before Judge Mack at yesterday's hearing for preliminary scrutiny prior to the court hearing scheduled for Monday, but representatives of the bidders reported to the court that final terms were still under negotiation with the principal bondholders' committee.

Action on approval of a six months' temporary employment contract for Frisch & Rinzler, continuing their operation of Fox Met. houses, was withheld by the court yesterday but will probably be ruled upon Monday. The temporary contract would carry a recapture clause which would authorize the Loew-Warner group to take over the Randforce-operated houses in the event their acquisition of Fox Met. is consummated prior to the expiration of the Randforce contract.

Fox Unit Acquiring Wisconsin Theatres

(Continued from page 1)

the Downer and Shorewood have been operated by Etta Weisner. At Menasha the circuit has acquired the Brin, also operated by Weisner.

The Alhambra will be reopened August 18, its policy still to be determined, while the Brin was taken over today by the new operators, the remaining houses to revert Sept. 1. The new acquisitions swell the circuit's holdings to more than 20 houses, six of which are in Milwaukee.

Whether Fox's control of the Alhambra will bring about a change in management at the Wisconsin, downtown 3000-seat key house here operated by the Fox-Wisconsin Co., remains to be seen. Saxe Amusement Management, Inc., has been in the courts attempting to secure this theatre, also originally one of the old Midwesco circuit, and with Fox now assured of a first run outlet through the Alhambra, it is possible that the Wisconsin may revert.

Barnstyn Closes Deals

Jack Barnstyn, head of British & Continental Trading Co., Inc., just back from the coast, reports he has closed deals for world distribution outside of this country for the six George O'Brien features now being made by Principal for Fox release, and has also taken over "Chandu," now in work; "Hollywood on Parade," Paramount, and "Young Eagles," controlled by Harry Thomas.

Newman Puts Clean Films Move on Air

(*Continued from page* 1)

production of salacious pictures," he said. "Several million dollars worth of film have been junked, others have been sent back for retakes and scores of scripts have been pigeonholed indefinitely.

"Obviously the effect of this new policy will not be immediate because of the many thousands of dollars involved in productions finished or partly finished, but it is certain the public will recognize a change within a few months.

"In our organization we are going to make a conscious effort to eliminate scenes, and even whole pictures which we consider beneath the level of good taste. Instead we are going to secure, advertise and feature weekly the family type of picture."

Circleville, O., Aug. 1.—Using the current crusade against objectionable pictures as a campaign issue, Daniel Morgan, Cleveland, a candidate for Republican nomination for governor, indorsed the movement in an address here.

"If elected Governor, I shall put all power of the state behind those efforts of the clergy to improve our movies," he promised.

Kansas City, Aug. 1.—The Missouri Daughters of the American Revolution, through its better films committee, has indorsed the clean films movement. A resolution adopted requests that members of the state society give their support to wholesome films by attending theatres where they are shown.

Houston, Aug. 1.—Baptists here have joined in the Legion of Decency movement through the Protestant Ministers' Alliance committee, cooperating with the Catholics, and have distributed pledges in their churches, but this faith has reserved the right to make its own "black and white lists."

Pledges have been distributed in all Catholic and in most of the Baptist, Methodist and Presbyterian churches and a few ministers have preached on the "decency" theme. But the move has not been militant, and exhibitors declare there has been no effect on box-offices.

Three of the Catholic black list films have shown here to normal business. These were "The Life of Vergie Winters," "Born to Be Bad" and "Laughing Boy."

Columbus, Aug. 1.—Despite the national clean film drive, the Lyceum, local burlesque house, is now including films. It's current screen attraction is "The Expose of Nudism" and it is being advertised as "startling," "sensational" and "daring."

Newport News, Va., Aug. 1.—Rev. Dr. Edwin T. Wellford has been named chairman of a committee representing the Peninsula Ministerial Ass'n. to map out a program for co-operation in the drive against objectionable films.

Cleveland, Aug. 1.—Local Catholics have adopted the procedure of the Cleveland Cinema Club and instead of publishing a list of banned pictures, now publish only lists of approved pictures.

Palisades Park, N. J., Aug. 1.—The Board of Education has gone on record in favor of a film cleanup and has appointed a committee to confer with the local theatre manager.

Report Union Fund Shrinks to $2,000

(*Continued from page* 1)

ing in the Central Opera House. George E. Browne, international president, informed the membership that a report would be presented on three weeks of investigation since the I.A.T.S.E took control.

When Harry Sherman, who resigned recently as president, became head of the union in Feb., 1933, the report said, the union treasury had $360,000. Up to Jan., 1934, $657,000 was collected in dues, assessments and initiation fees. An old age fund of $30,000 has been tied up in the courts, he said.

Holmden urged members to join in the rehabilitation of the union and to conduct a drive to collect back dues and assessments. The international will remain in control, he said, until the local's affairs are reorganized.

Browne told members of the local that additional houses will be added to the roster within the next few weeks.

Browne called the first official meeting of the unit since it was taken over by the international. No successor to Sherman was mentioned and it is likely none will be named until election time.

Struss Files Suit Over Union's Funds

Los Angeles, Aug. 1.—Karl Struss, former member of the local Cameramen's Union, has filed suit in Superior Court for an accounting from the organization of the welfare fund, which, he alleges, has been mismanaged through the settlement of a contract with the former business manager, Howard Hurd. This settlement called for $11,995, of which $2,000 has already been paid. Hurd has notes for the balance.

Herbert Aller, present business manager, said any member in good standing could examine the union's books at any time, inferring that Struss was not in good standing, but had brought the suit for the purpose of strengthening the A. S. C.

Union in Sheboygan Appeals Picket Ban

(*Continued from page* 1)

NRA administrator in Washington charging the Rex with alleged violations of the labor provisions of the code, and the union has requested that this dispute be arbitrated as provided for in Article 4, division (c), Part 1, Section 6, of the code.

Because Code Authority is not yet equipped to handle labor complaints at this time, issues of this nature are being referred to Washington. Campi branches are handling only unfair trade practices at present.

Seek to Join in Para. B'way Revamp

(*Continued from page* 1)

mount Broadway, completed several months ago, provides for the issuance of new bonds in exchange for the $8,875,000 issue now outstanding, to bear interest at three per cent for a first period of 10 years and five and one-half per cent for the second 10-year period.

A new office space and theatre lease is also involved in the plan, calling for a rental of $188,147 per year for office space for a first 10-year period and a rental to be fixed by appraisal for two additional five-year periods. The theatre rental is based on a minimum of $260,000 a year against gross receipts during the first 10 years. A new lease is to be drawn at the end of that period.

An action to have Charles D. Hilles, Eugene W. Leake and Charles E. Richardson, trustees of Paramount Publix as a debtor corporation, replace the company's trustees in bankruptcy as complainants in the action brought against 12 Paramount creditor banks to have the 1932 Film Productions Corp. transaction with the banks set aside, will be heard in U.S. District Court here Aug. 7.

Federal Judge Alfred C. Coxe yesterday signed an order appointing Joyce special master on all Paramount bankruptcy matters which were pending before Referee Henry K. Davis at the timb of the death of the latter.

A District Court order has been signed setting Sept. 15 as the final date for the filing of creditors' claims against Paramount as a debtor corporation. Creditors whose claims have not been filed by that time will be excluded from participation in the reorganization of the company except on court order for cause shown.

4 More Appeals Heard

Four more appeals were heard yesterday by a Campi committee comprising Leslie E. Thompson, A. W. Smith and William Yoost. They were:

Loew's Rio against Heights, both in New York, on premature advertising; Scenic, Lake Wales, Fla., against Mountain Lake Corp., same city, involving non-theatricals; Colorado, Pasadena, Cal., against Fox West Coast and United Artists on overbuying; Orient, Jersey City, against Apollo, same city, on overbuying.

Thompson was chairman.

Katz-Furman on Tour

Harry Katz and Roy Furman have left by automobile for a tour of Monarch theatres in Indianapolis, New Castle, Pa., and Steubenville, Youngstown and Akron, Ohio.

Having acquired the Penn, New Castle, the circuit plans to add four to its present six houses by Sept. 1, when the Penn will be reopened.

Thompson in Code Post

Hollywood, Aug. 1.—Kenneth Thompson has been named to replace Charles Miller of Equity as a member of the extras' code committee. The latter resigned some time ago.

New Termer for Gibney

Hollywood, Aug. 1.—Sheridan Gibney has been signed to a new long-term writing contract by Warners.

Johnston Hits Coast Board's Duals Stand

(*Continued from page* 1)

is definitely in restraint of trade, as such will bring down the Department of Justice on their heads.

"The zoning board here, in my opinion, far exceeded the authority set out for it in the code. The provisions of the code setting up those boards definitely define the functions that they are to perform, and the local board has gone far afield from its duties set forth under the code.

"I have no doubt that the entire restrictions placed by this board as far as they pertain to duals will be thrown in the waste-basket when they reach Campi.

"Word has repeatedly gone out that no exhibitor can be penalized by the zoning board because he plays two features instead of one, and the attention of the board has been called to the fact there is nothing in the code that makes the showing of two features an unfair trade practice any more than that there is a provision making it an unfair trade practice for the showing of pictures and vaudeville in one house as against a straight picture policy in another in the same zone."

Johnston Will Rush Films to Theatres

Hollywood, Aug. 1.—Upon arriving here, W. Ray Johnston, head of Monogram, declared that in three years the company had not made a censorable subject. While here, he said, he intends to speed production in order to get pictures into theatres while other companies are rearranging their schedules as a result of the clean film drive.

Deadline Today on L. A. Zoning Protests

Los Angeles, Aug. 1.—The clearance and zoning board has set five o'clock tomorrow afternoon as the deadline for all protests on the proposed protection schedule for this territory to be submitted. Today 15 protests were added to the 69 already filed. Most of the complaints are on minor clearance points. The majority of these have been cleared.

The board will work on matters connected with the schedule until Aug. 10, the date on which it desires to forward the final draft of the new setup to Campi. This will allow the board sufficient time for filing the schedule by Aug. 17.

Bolle to Head Outing

Detroit, Aug. 1.—Otto Bolle, Paramount exchange manager, has been named general chairman of the Variety Club outing to be held Aug. 14 at the Ste. Claire Shores Country Club.

Bolle replaces H. M. Richey, who resigned due to pressure of business at the Allied office.

Open Davenport Capitol

Davenport, Ia., Aug. 1.—The Capitol here has reopened.

"Rothschild" Hits $33,820 At the Rivoli

With Broadway grosses generally in the doldrums, "House of Rothschild" demonstrated its continued drawing powers in its first popular price week on the main stem. The Rivoli take of $33,820 was about the best showing on the street.

"Here Comes the Navy" took the only other honors of the week by running up $31,000 at the Strand, although "Of Human Bondage" was satisfactory at $12,000 in its second stanza at the Palace. "Baby Take a Bow" held up to $18,000 in its fourth week at the Roxy.

Estimated takings:

Week Ending July 24:

"HIS GREATEST GAMBLE" (Radio)

RIALTO—(2,300), 25c-65c, 7 days. **Gross:** $7,800.

Week Ending July 25:

"GRAND CANARY" (Fox)

RADIO CITY MUSIC HALL—(5,945), 35c-$1.65, 7 days. Stage show. **Gross:** $63,100.

"HOUSE OF ROTHSCHILD" (U. A.)

RIVOLI—(2,200), 40c-99c, 7 days. **Gross:** $33,820.

Week Ending July 26:

"MIN AND BILL" (M-G-M) (Revival)

CAPITOL—(4,700), 35c-$1.65, 7 days. Stage show. **Gross:** $11,000.

"OF HUMAN BONDAGE" (Radio)

PALACE—(2,500), 25c-75c, 2nd week, 7 days. Vaudeville. **Gress:** $12,000.

"NOTORIOUS SOPHIE LANG" (Para.)

PARAMOUNT—(3,700), 35c-99c, 7 days. Stage: Jimmy Savo and others. **Gross:** $22,000.

"BABY, TAKE A BOW" (Fox)

ROXY—(6,200), 25c-55c, 4th week, 7 days. Stage show. **Gross:** $18,000.

"HERE COMES THE NAVY" (Warners)

STRAND—(2,000), 25c-$1.10, 7 days. **Gross:** $31,000.

Week Ending July 30:

"WILD GOLD" (Fox)

MAYFAIR—(2,300), 35c-85c, 7 days. **Gross:** $7,500.

Mexico City Shifts Delayed by Strike

(Continued from page 1)

stage shows are dropped. The strikers are parading with black and red banners.

Mexican organized labor guards are mounted in front of the doors of the theatres, and the Federal labor department is trying to mediate.

Build at Sturgis, Mich.

DETROIT, Aug. 1.—C. J. Lambiotte, Mishawaka, Ind., exhibitor, is building a new theatre in Sturgis, Mich. The new house is to be named the Roxy. Lambiotte also plans another at Benton Harbor, Mich., for years a tight Butterfield town.

Werner Gets New Post

HOLLYWOOD, Aug. 1. — David C. Werner, Universal casting director, has been named to succeed Robert Harris, who recently resigned as the company's eastern story head. Dan Kelly will succeed Werner.

Schulman in Detroit

DETROIT, Aug. 1.—E. Manuel Schulman, former theatre manager and publicity man in New York, has joined the Sol Krim circuit as a manager and publicity man.

MOTION PICTURE DAILY'S HOLLYWOOD PREVIEW

"Romance in the Rain"

(Universal)

HOLLYWOOD, Aug. 1.—As a clean, wholesome comedy romance mounted on a plot tinged with modern fantasy and marked by good performances throughout, this stacks up as topnotch program fare for general appeal.

Roger Pryor is the brains of a True Love Confessions magazine syndicate headed by Victor Moore. He puts on a search for a modern Cinderella to boost circulation. In the meantime he meets Heather Angel, is impressed with the idea she is the perfect Cinderella and enters her in the contest. Moore is straining his bankroll for the campaign, which stipulates a month of luxury for the winner, so he enters his girl friend to keep the prize in the family. Despite the fixing of the judges by Moore, Miss Angel wins over the girl friend (Esther Ralston).

Pryor follows up with a Prince Charming contest, the winner to be picked through a television broadcast to marry Cinderella. Pryor realizes his love for Cinderella at the last moment and kidnaps her before the ceremony. Moore's girl friend takes advantage of the opportunity to hook the publisher into substituting her on the marriage block.

Ace performances are given by Pryor, Miss Angel, Moore and Miss Ralston. Stuart Walker's direction is excellent, with a fine sense of comedy. Stanley Bergerman rates merit for giving the customers something different in entertainment. Running time, 72 minutes.

"She Had to Choose"

(Majestic)

HOLLYWOOD, Aug. 1.—Complicated romance given a dramatic, sacrificial twist and colored by topical situation comedy is the entertainment in this picture. It is a worthwhile program attraction with qualities appealing to family audiences.

Isabel Jewel, broke, finds friendship, employment and love with Buster Crabbe, owner of a drive-in barbecue restaurant. The happiness of the pair is menaced by the affectionate intrigue of Sally Blane and the motherly ambition of Maidel Turner. Told she is not the girl for Crabbe, Miss Jewel turns to Regis Toomey and at a peppy night club party is made the victim of Miss Blane's jealous spite. Accepting Toomey's bid for a party at Agua Caliente, she unwittingly weds the wastrel playboy. The tragedy of the disappointed love takes on tense drama as Crabbe struggles with the dissolute Toomey, resulting in the latter's death. Charged with murder, no case is found as a blackmailing witness cannot identify either party. Determined to leave Crabbe to Miss Blane, Miss Jewel starts for her Texas home in a decrepit model car, only to be overtaken by Crabbe and brought back to love and happiness.

Miss Jewel, Crabbe, Miss Blane, Toomey, Fuzzy Knight and Miss Turner contribute effective performances. Ralph Ceder's direction skillfully blends romance, drama and comedy. Running time, 63 minutes.

Lecture Trip for DeMille

HOLLYWOOD, Aug. 1.—Cecil B. De Mille leaves Hollywood on Aug. 9 on a flying lecture tour covering 12 cities of the country. The first stop will be Denver. The other appearances will be in New York, Philadelphia, Washington, Kansas City, Cleveland, Detroit, Chicago, St. Louis, Atlanta, New Orleans and Dallas. The lectures will be sponsored by newspapers and civic groups in those cities. DeMille will discuss production problems in general and the new trend in film entertainment.

Robert Scheck Married

BALTIMORE, Aug. 1.—The marriage of Robert Scheck, president of the Philip J. Scheck Theatre Enterprises, to Miss Ruth Esther Johnson, June 5, was announced the other day when the couple sailed on their honeymoon to Norfolk and Boston. A group of friends and relatives were on hand to wish them bon voyage.

Preview 'Adventure Girl'

Joan Lowell was hostess at a reception last night aboard the *Columbian,* docked at the foot of Rector St., at which a preview was given of "The Adventure Girl," Van Beuren production to be released by Radio. A dinner preceded the showing of the film.

Amity Set in Pittsburgh

Contracts for distribution rights on Amity pictures in the Pittsburgh territory have been signed by Monarch Pictures Corp., headed by J. S. Jossey and Nat Lefton. Jossey also operates Amity exchanges in Cleveland and Cincinnati.

Fox, Bklyn, Stays Open

Although originally scheduled to close tomorrow, the Fox, Brooklyn, will be kept open the entire summer by Simon Fabian, who recently leased the house from the bondholders. The contract for Fox product has been taken up by the new management.

Capital Dull; "Key," Show Pull $16,300

WASHINGTON, Aug. 1. — Grosses slipped last week, but the best comparative showing was made by "The Key" at the Earle, helped by a stage show headed by Will Osborne and his orchestra. At $16,300 the gross was $1,300 below par.

"Kiss and Make Up," also with a stage show, was weak at Loew's Fox with $16,200. "Bulldog Drummond Strikes Back" pulled a fair $12,100 in its second week at Loew's Palace. "Of Human Bondage," another holdover, slipped to $7,900 in its second week at RKO Keith's.

Total first run business was $58,100, over the previous week by $400. Average is $71,200.

Estimated takings, exclusive of tax:

Week Ending July 26:

"THE KEY" (Warners)

EARLE—(2,218), 25c-77c, 7 days. Stage: Will Osborne and orchestra; Jean, Ruth and Gail; Paul Sydell and Spotty; Belett and Lamb. **Gross:** $16,300. (Average, $17,600)

"WILD GOLD" (Fox)

LOEW'S COLUMBIA—(1,265), 25c-40c, 7 days. **Gross:** $1,800. (Average, $3,100)

"KISS AND MAKE UP" (Para.)

LOEW'S FOX—(3,434), 25c-66c, 7 days. Stage: Bob Hope and Dolores (Reed), Ann Greenway, Samuels Brothers' Revue, and Alex Morrison. **Gross:** $16,200. (Average, $20,500)

"BULLDOG DRUMMOND STRIKES BACK" (U. A.)

LOEW'S PALACE—(2,390), 35c-77c, 7 days. **Gross:** $12,100. (Average, $14,500)

"HERE COMES THE GROOM" (Para.)

METROPOLITAN — (1,591), 25c-40c, 7 days. **Gross:** $3,800. (Average, $4,100)

Week Ending July 24:

"OF HUMAN BONDAGE" (Radio)

RFO-KEITH'S—(1,850), 25c-55c, 7 days, 2nd week. **Gross:** $7,900. (Average, $11,400)

Flash Reviews

British Agent— . . . excellently produced in all departments . . .

One More River— . . . class rather than mass appeal . . . atmosphere and characters completely British. . . .

These films will be reviewed in full in a later issue of MOTION PICTURE DAILY.

To help maintenance of proper air conditions in the theatre the year 'round

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Fit the pocket or may be tacked on wall. Only limited number available. Order now. Price 25 cents.

BETTER THEATRES
1790 BROADWAY NEW YORK

The Leading Daily Newspaper of the Motion Picture Industry

MOTION PICTURE DAILY

Alert, Intelligent and Faithful Service to the Industry in All Branches

VOL. 36. NO. 28 NEW YORK, FRIDAY, AUGUST 3, 1934 TEN CENTS

Loew 40-week Profit Is More Than Doubled

Jumps $3,414,723 to a Total of $5,750,750

Loew's, Inc., profits more than doubled for the 40 weeks ending June 7 as compared with the same 40-week period in 1933. The net profit this year, after subsidiaries' preferred dividends, is $5,750,750. Last year it was $2,336,027.

The improvement is even more striking when expressed in terms of earnings per share. This year's 40-week total is equivalent to $3.45 per share on the common stock. Last year it was $1.11½.

Mason in Capital; Believed on Code

WASHINGTON, Aug. 2.—Possibilities of further controversy over the film code were seen today in the arrival here of Lowell Mason, former chief counsel for Clarence Darrow's NRA review board, who is now acting as counsel for the I. T. O. A.

While nothing could be learned regarding the purposes of Mason's visit. observers pointed out that the Industrial Appeals Board of the NRA, created to deal with complaints against codes and code authorities, was slated to begin operations yesterday and suggested that he might be looking the ground over with a view to filing charges on behalf of the independents.

Warners and M-G-M Hit L. A. Schedule

LOS ANGELES, Aug. 2.—Among a number of last minute protests against the clearance schedule are two from Warners and M-G-M. They charge clearance for adjacent and outlying subsequent run houses is insufficient to protect downtown first runs.

They also claim customers, knowing they can see pictures a week or

(Continued on page 4)

Ontario Censors Are Requested to Resign

TORONTO, Aug. 2.—Three members of the Ontario censor board, Chairman J. C. Boylen, Mrs. Edmund Phillips and Mrs. Pearl Thorneloe, were asked to resign today by Premier Mitchell Hepburn.

Boylen has been on the board since 1912, except for three years when he served with the Canadian overseas

(Continued on page 6)

Dual Problem Will Be Aired Before Campi

Clauses in New Clearance Plans to Be Tested

Restrictions against duals in clearance and zoning schedules will be aired at the next Campi session, Aug. 9, when S. R. Kent will act as chairman.

All of the schedules filed by 32 key centers have clauses in them penalizing duals in one form or another.

The first test case on the calendar will be Milwaukee. Exhibitors from this zone are being called in for the next Campi session to air their views on the schedule and twin bills.

Edward Golden, champion of the double bill, will defend twin programs at the session. His contention is that there is no clause in the code dealing with duals. The Monogram sales manager, it will be recalled, led the fight by independent

(Continued on page 4)

Agree to End Dual Bills in St. Louis

ST. LOUIS, Aug. 2.—Duals will be eliminated in this city with advent of new season's product. An agreement has been signed by Fred Wehrenberg, president of the M.P.T.O. of St. Louis, for his members; Nelson Cunliff, head of the St. Louis Amusement Co., representing 25 houses, and Fanchon & Marco, with five houses.

Current prices of 35 cents matinees

(Continued on page 4)

Tough on Picket

Portland, Aug. 2.—It was far from union principles even for a picket to think of viewing a picture that he had been advising the public to avoid.

At the end of the day, however, his curiosity overcame his scruples and in an aside he asked the manager to slip him into the back seat when the coast was clear. Just as he was about to pass through the portals, however, he was grabbed by the arm and a well known voice hissed in his ear: "Where are you going? How about me, too?" It was his wife.

See No Chance Of Agreement In Music Row

No plan of compromise on the music tax increases proposed by the American Society of Composers, Authors & Publishers is being formulated by the exhibitors' national emergency committee which is leading the opposition to the new tax schedules, it was stated by members of the committee yesterday.

The committee's position, it was stated, is that any plan of compromise it might offer would be, first of all, an admission that an increase in the music tax was justified at this time. Any compromise proposal which de-

(Continued on page 4)

Majors Plan Protest on Schedules of Code Costs

Protests against assessment schedules for the first half year as prepared by Campi are being made by major distributors.

Three companies already have voiced dissatisfaction with the figures prepared, United Artists being one of them.

Because the assessment angle is a government matter, the three distributors are now working on formal complaints which will be sent to Division Administrator Sol A. Rosenblatt.

Assessments from producers-distributors are due by Aug. 15, according to an administration order, and protests must be filed by that date.

All major companies are expected to join in the protest when it is sent to Washington. A hearing will be asked for possible revision.

Under provisions of the code, producers-distributors are assessed $180,000, the like amount being levied against exhibitors. Numerous exhibitors and exhibitor associations have protested the six months' levies, but no action has been taken by Campi or the government.

Rosenblatt is expected back from the coast in about two weeks. No complaints by independent producers or distributors have yet been made.

Zirn's Para. Appeal Delays Moves on FWC

Reorganization of Two Units Interrelated

Reorganization of Fox West Coast and completion of an elaborate plan of settlement of claims involving that company and Paramount Publix are being held in abeyance by litigation attacking the Paramount settlement, it was learned yesterday.

The litigation is authored by Samuel Zirn, attorney for a small group of Paramount bondholders. He opposed the claims settlement plan which was approved by Referee Oscar W. Ehrhorn and the U. S. District Court here two months ago over his objections. Recently, Zirn filed an appeal from the order approving the plan with the U. S. Circuit Court of Appeals. The higher court recessed in June for the summer and does not reconvene until Oct. 1. No action on Zirn's move for an appeal can be had before that time.

In his application for appeal, Zirn opposes the Paramount-Fox W. C. claims settlement on the grounds that

(Continued on page 6)

More Delays Seen In Fox Met Deal

Litigation being pressed by minority bondholders in Fox Metropolitan is expected to result in further delay on the sale of the circuit to Low's and Warners and will probably result in an adjournment of the court hearing before Federal Judge Julian W. Mack on Monday, it was stated yesterday by those close to the situation.

Meanwhile, Fox Met. bonds, listed on the produce exchange, sold off nine points to $33, giving rise to

(Continued on page 4)

Producers Enforce Ban on Broadcasts

HOLLYWOOD, Aug. 2.—No formal action has been taken by producers, but it is understood most of them are now making an effort to prevent contract players from broadcasting. Concerted action to make the ban unanimous is expected shortly.

M-G-M is the latest to take action, and it is understood that Robert Montgomery's broadcast last night will be his last.

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R.C.A. Reports Gain

Radio Corporation of America reports a marked improvement for the first six months this year over the first half of last year. An income of $1,177,580, after deduction of interest, depreciation, amortization of patents and Federal taxes, has been transferred to surplus. Last year for the same period a net loss of $1,268,211 was reported.

Trans-Lux Net $98,729

Trans-Lux Daylight Picture Screen Corp. and subsidiaries report a net profit of $98,729 for the six months ending June 30 after amortization, depreciation, taxes, etc. This is equivalent to 13 cents a share on 776,348 shares of capital stock.

Miss Schwalbe Married

PHILADELPHIA, Aug. 2.—Harry O. Schwalbe and Mrs. Schwalbe have just announced the marriage of their daughter, Marion Harriette, to James Ferrell Green on July 19 at their home in Bala-Cynwyd, Pa.

Swenson in Hays Office

Joel Swenson, formerly with Fox, has joined the Hays office as assistant to J. J. McCarthy, who passes on all advertising copy of major distributors.

Col. Team Quits League

Columbia has withdrawn from the M. P. Baseball League because the league voted to forfeit an unplayed game to the Warner team.

Looking 'Em Over

"Dames"

(Warners)

"Dames" furnishes a pleasant one and one-half hours of diversion with plenty of production value to satisfy the eye and some tuneful songs that linger in the memory. Practically all of the singing is done by Dick Powell, with one number done by Joan Blondell.

The story is carried along consistently, so that the music becomes incidental and the backstage sequences are used to build up to a climax with dance numbers introduced by Busby Berkeley.

Guy Kibbee, Hugh Herbert and Zasu Pitts keep the comedy well out front. Kibbee visits the office of his wife's cousin, a wealthy eccentric with a reform complex, played by Herbert. Miss Pitts is the wife. Herbert agrees to settle $30,000,000 on Kibbee's family if he finds, after a month's observation, that the family's moral standards are satisfactory, and that Dick Powell, a member of another branch, with theatrical leanings, is barred. It develops that Ruby Keeler, the daughter, is in love with him.

Miss Blondell tricks Kibbee into backing Powell's show. Herbert sets out to stop it, but gets tight on his cough medicine. After his toughs have stopped the show he and Kibbee and Miss Pitts wind up in the hoosegow having a fine time.

The song numbers are: "I Only Have Eyes for You," "Dames," "Try to See It My Way," "The Girl at the Ironing Board" and "When You Were a Smile on Your Mother's Lips." Running time, 90 minutes.

"Adventure Girl"

(Van Beuren-Radio)

Joan Lowell, who first gained fame as the author of "Cradle of the Deep," is both star and narrator in a fact and fiction camera story of a trip to an unnamed Carribean country. Miss Lowell has a vivid imagination and a shrewd appreciation of dramatic values. It's a good outdoor action picture for family audiences.

One of the interesting members of the untrained cast is Miss Lowell's father, a 76-year-old sea captain.

Some fine sea photography features the opening sequences. In the calmer tropic waters Miss Lowell begins to develop a story. She finds a map left by a Spanish sea captain in a wreck, changes the course of the schooner, lands in some place with big ruins and desecrates the gods of the Indians' ancestors seeking an emerald. This furnishes material for a chase sequence, in which she is captured. The natives are about to burn her alive when a member of her crew rescues her.

In the final escape scene she and her sailor spread gasoline on the waters and light it to foil the Indians pursuing in canoes. These are hand-colored shots done by Gustav F. O. Brock and are very effective pictorially. Running time, 76 minutes.

"Name the Woman"

(Columbia)

Another of the newspaperman cycle in which the dumb cub reporter gets the sensational scoop. "Name the Woman" ought to do good business in small towns and neighborhoods if properly exploited. With Richard Cromwell, Arline Judge and Rita LeRoy featured, Albert Rogell seems to have directed with a concentration on the chase finish

(Continued on page 6)

Columbia Up 1 on Big Board

	High	Low	Close	Net Change	Sales
Columbia Pictures, vtc	26⅝	25½	26⅝	+1	100
Consolidated Film Industries, pfd	12	12	12	— ⅜	100
Eastman Kodak	99	98¾	98¾	— ¼	400
Fox Film "A"	10⅝	9¾	10⅝	+ ⅝	1,100
Loew's, Inc.	25¼	23½	25¼	+1⅜	3,900
Paramount Publix	3¼	3⅛	3¼	+ ⅛	500
Pathe Exchange	1⅜	1¼	1¼	.....	500
Pathe Exchange "A"	14½	13½	13⅛	— ⅜	200
Warner Bros.	4	3¾	4	.....	2,000

Technicolor Off ⅞ on Curb

	High	Low	Close	Net Change	Sales
Technicolor	13	12	12	— ⅞	300
Trans Lux	1¾	1¾	1¾	+ ⅛	.....

Warner Bonds Drop ½

	High	Low	Close	Net Change	Sales
General Theatre Equipment 6s '40	6¼	6¼	6¼	+ ¼	3
Loew's 6s '41, ww deb rights	100	100	100	.....	5
Paramount F. L. 6s '47	39⅞	39⅞	39⅞	+ ⅜	5
Paramount Publix 5½s '50	42¼	41¾	42¼	.....	6
Warner Bros. 6s '39, wd	55	55	55	— ½	11

◂ Purely Personal ▸

GLENDA FARRELL is recover- rapidly from an appendicitis operation. She expects to leave the Polyclinic Hospital Monday.

CHARLES O'REILLY left yesterday for an upstate resort where he will spend a week-end vacation.

HARRY VON TILZER, songwriter, starts work today in a Vitaphone short.

WILLIAM SCULLY has gone to New England on another M-G-M business trip.

OSCAR HANSON is in town from Toronto. He was accompanied by ARTHUR LEE of Gaumont British.

PATSY KELLY returns to the coast Aug. 28 after an extended vacation here.

BUSTER KEATON has been signed by HAL ROACH for a role in "Greek Is Greek."

SAM DEMBOW, JR., MARCO WOLFF and JACK PARTINGTON arm-and-armed it down Broadway yesterday.

MARGARET SULLAVAN leaves today for the coast by plane to start work in "Within This Present."

MORT BLUMENSTOCK is in Atlantic City for the opening of "Dames."

DAVE DIAMOND of Columbia plans to return to England shortly.

Dressler's Maid Is Remembered in Will

LOS ANGELES, Aug. 2.—Marie Dressler's will was filed today. The value of the estate was not given, but it is believed to total about $300,000.

Mamie Cox, negro maid, was bequeathed $35,000. Her husband. who acted as chauffeur and house man, was willed $15,000 and all Miss Dressler's cars. Alan B. Walker, who, with his wife, cared for the star in her last illness, was made executor without bond. The bulk of the estate will go to Miss Dressler's sister, Bonita Ganthony, who lives in England.

Argentina to Make 5

WASHINGTON, Aug. 2.—The S. I. D. E. Studios in Buenos Aires, Argentina, will produce five films during 1934, says a report of July B. Smith, assistant trade commissioner, to the U. S. Department of Commerce.

Three of the films will be "Raichuelo," "Bajo la Santa Federacion," and "La Reina del Tango."

Zanuck Signs Authors

LONDON, Aug. 2.—Darryl F. Zanuck, vice-president in charge of production for 20th Century, has signed W. P. Lipscombe and R. J. Minney, authors of "Clive of India," to do the screen adaptation of the play. They are expected to leave next week with Zanuck for the coast.

M-G-M After Brahan

M-G-M understood considering Horace Brahan, currently appearing in "Musical Chairs," for a role in "David Copperfield." Brahan recently appeared in "Left Bank" and "Street Scene."

AUGUST 2nd 1934!

A memorable date . . . .

FOR on that date . . . at popular prices . . . in Radio City Music Hall . . . one of the great productions of this great industry came within the reach of the movie-going millions . . . to give them far more than an hour's glorious entertainment . . . inspiring them with a new faith in themselves, a new courage to face the future!

THE WORLD MOVES ON

THE LOVE STORY OF A CENTURY

FOX

See No Chance Of Agreement In Music Row

(*Continued from page* 1)

velops will have to be authored and submitted by the society, it was stated.

Meanwhile, plans for opposing the tax increase, estimated to boost present levies from 300 to 1,000 per cent, are proceeding within exhibitor organizations throughout the country. Members are being instructed to make no new contracts with the society without first obtaining the advice of counsel for the various exhibitor organizations. Regional legal moves are also being studied with some organizations considering the advisability of sponsoring state legislation patterned after the Mississippi law which requires any organization operating within the state as a royalty collection body to obtain a $1,000 license for each county in which it proposes to engage in collection activities.

Legal Contests Discussed

Also being discussed is an intensive campaign of legal contests designed to place upon the society the burden of proof that all or any of its copyrighted music is actually an original composition. It is pointed out that virtually all modern music is "borrowed" from earlier compositions so old that their copyrights have expired and they have come within the "public domain." Under the exhibitor plan it would be up to the ASCAP to prove in court that its copyrighted music was not derived from such sources.

Still another plan under discussion in exhibitor circles calls for cancellation by exhibitors of their ASCAP contracts and refraining from exhibiting films containing copyrighted music. This procedure, it was pointed out, would make it necessary for the ASCAP to organize, train and maintain an army of checkers to make certain that the coyrighted music was not played in the theatres.

Meetings of the main legal committee of the exhibitors' emergency body and of the main exhibitors' committee are scheduled for early next week.

Warners and M-G-M Hit L. A. Schedule

(*Continued from page* 1)

two after first runs at half the price will wait.

Long Beach, Pasadena, Huntington Park, Inglewood, Whittier, Beverly Hills and others follow Los Angeles from seven to 14 days.

Los Angeles, Aug. 2.—With the deadline for all zoning protests set at 5 P.M. today, more than 95 have been filed within the last three days, making a grand total of 163 since the schedule was announced.

The local board will go into action tomorrow morning in an attempt to clean up the complaints by Aug. 10.

Charter Cathay Studios

Dover, Del., Aug. 2.—Cathay Studios, Ltd., has been chartered here to deal in films, etc., listing capital of $1,001,000. The incorporators are S. L. Mackey, J. Skrivan and E. M. Lathem of Wilmington.

Dual Problem Will Be Aired Before Campi

(*Continued from page* 1)

producers and distributors for elimination of dual clauses at public code hearings in Washington.

In New Jersey, Allied and other major circuits have voluntarily agreed to drop twin bills Sept. 3. The reason given here is high cost of film, which, it is claimed, makes it impossible for independents to play two pictures on one program.

Agree to End Dual Bills in St. Louis

(*Continued from page* 1)

and 55 cents evenings will be maintained by first runs. Subsequents also will hold to present scales. Some are charging 30 cents and others 40 cents.

F. & M. reopens the Ambassador Aug. 10, the Missouri Aug. 16 and the Grand Central in about 30 days. The first two houses will have stage shows while the last one will be put on a subsequent run single feature policy.

The plan for quitting duals was motivated by Harry C. Arthur of F. & M., who conferred with Wehrenberg and Cunliff here for several days. Arthur returned to New York Thursday.

Marco Wolff, Arthur's partner and now in New York, leaves for the coast the end of the week.

Cleveland, Aug. 2.—First break in the ranks of Cleveland exhibitors, who signed an agreement to eliminate twin bills, occurred yesterday when the Family, operated by Family Theatre Corp., Sol and Edward Singer and Henry Kaplan, showed two features.

Judge Skeel granted M. B. Horwitz, operating the Haltnorth, a temporary injunction prohibiting further showing of duals at the Family until the case is heard Friday at 2 P. M.

One Settled, One to Go

Mexico City, Aug. 2.—The Polipeana, which has been playing legitimate shows, has settled a strike with its employes and adopted a picture policy. The first film to be shown is "Elysia," nudist picture.

The Iris, which also plans to go to a film policy, has not yet made peace with its striking employes.

Publix Unit Builds 2 Colorado Houses

Denver, Aug. 2.—J. H. Cooper Enterprises, Publix company in Colorado, is building one theatre and plans to start another early in September.

The one under construction is at Pueblo. It will cost about $50,000 and will seat 1,300. No opening date has been set. A subsidiary company with $50,000 capital, the Rialto, Inc., has been formed to carry it. Directors are L. J. Finske, district manager; J. H. Cooper, and W. B. Shuttee, city manager of the Pueblo Publix theatres.

Publix has bought the Rialto to Colorado Springs and will dismantle it after Labor Day and build a 1,350-seat house on the same site. Regal Theatres, Inc., has been formed to handle the building, with $50,000 capital. Finske, E. F. Roberts and J. Alfred Ritter are the directors.

The Publix-Cooper partnership is spending considerable money in modernizing theatres in the state. About $2,500 was used to provide the Uptown in Pueblo with new ventilating equipment; $10,000 was used for seats, drapes, carpets, marquee, lobby and front at the Sterling in Greeley, and $7,500 was spent on marquee, front lobby, carpets and drapes at the Avalon at Grand Junction.

Marion, O., Aug. 2.—Midhio Theatres, Inc., has leased the Palace and Marion theatres from Theatrical Managers, Inc., of Indianapolis. Tracy Barham, field manager for Midhio, said the company was organized recently to acquire a group of central Ohio picture houses of which the Palace and Marion are the first.

Theatre Tax Jumps Urged in St. Louis

St. Louis, Aug. 2.—Increased theatre taxes are being sought by Aldermanic President Walter J. G. Neun and Mayor Bernard F. Dickmann as a means of balancing the city budget. The prospective shortage is about $2,000,000.

At present theatres pay $25 for one month, $75 for three months, $100 for six months, and $150 per year regardless of size. Under the proposed scales theatres up to 2,000 seats would pay $150 per year, from 2,000 to 3,000, $250, and over $400.

Giving Studios Onceover

Hollywood, Aug. 2. — Gordon Sloan, attorney general for British Columbia, in charge of all censorship of that domain, arrives by plane Sunday for a one day looksee of studios open that day.

Hollywood Personals

Hollywood, Aug. 2.—Pete Smith will make a short based on Donkey baseball. . . . Verree Teasdale has arrived from New York. . . . Una Merkel and family have left for Del Mar for two weeks. . . . Helen Morgan has gone to New York, following the completion of her role in "Marie Gallante" at Fox. . . . Jean Harlow is back from Arrowhead. . . . Madge Evans has postponed her trip to Broadway again. . . . Bing Crosbys have named their twin sons Philip Land Crosby and Dennis Michael Crosby. . . . Wallace Beery off for a tour of the middle west. . . . Colin Tapley assigned an important role in "Lives of a Bengal Lancer" at Paramount. . . . Paul Lukas will play opposite Claudette Colbert in "Imitation of Life" at Universal.

More Delays Seen in Deal For Fox Met

(*Continued from page* 1)

reports that Loew's and Warners were withdrawing their bid because of an impasse in negotiations with the principal Fox Met. bondholders' committee and the newly arisen legal complications. These reports were immediately denied by representatives of Loew's and Warners, who described the current state of their negotiations with the committee as "the closest to an agreement they have ever been."

The Fox Met. bonds were last quoted at $42, the level to which they jumped with the opening of the Loew-Warner negotiations.

Archibald Palmer, attorney for the minority bondholders, who are seeking a reorganization of the circuit under the new bankruptcy laws, yesterday filed an appeal with the U. S. Circuit Court of Appeals from Judge Mack's action denying Palmer the right to examine officers of Loew's, Warners and Fox Met. bondholders' committee. Palmer obtained the order permitting him to proceed with the examination early this week from Federal Judge John Woolsey. The order was promptly vacated by Judge Mack and as promptly appealed by Palmer.

Examination Necessary

Palmer contends that the examination is necessary to show the real value of the Fox Met. assets and offers the opinion that the Loew-Warner bid in its present form is too low. He also maintained before Federal Judge Martin Manton in the Circuit Court of Appeals yesterday that Judge Mack has no further right to preside at Fox Met. proceedings or to take further action in the company's receivership until officers of Fox Met. have filed an answer to the minority bondholders' action for reorganization of the circuit under the new bankruptcy laws. Palmer asked an immediate hearing of his appeal by the higher court.

Frisch & Rinzler, present operators with Skouras of the Fox Met. circuit, are objecting to a recapture clause in the new temporary employment contract being offered them by the principal bondholders' committee. The clause would give Loew's and Warners the right to take possession of certain Randforce-operated houses if and when the Loew-Warner deal is consummated. The contract is for six months. Judge Mack is scheduled to rule on the Randforce objection on Monday.

Rosenblatt Advising On the Agency Code

Hollywood, Aug. 2.—In his latest conferences with the agency five-five committee Division Administrator Sol A. Rosenblatt is understood to be acting as advisor on many issues. It is believed their code of fair practice will be definitely settled and adopted next week.

Similar meetings of the actors' five-five committee also are being held at the office of Major J. O. Donovan.

AND STILL THEY COME!

●

FAMOUS PLAYERS CANADIAN THEATRES

N. L. Nathanson, President,
Operating eighty situations throughout
Canada, from Coast to Coast—

UNITED THEATRES OF MONTREAL

George Ganetakos, President,
Operating twenty theatres in
Montreal, Lachine and Sherbrooke,

sign for

UNIVERSAL

–Features, News, Shorts and Serials for 1934-35

●

Thanks, **Messrs. Nathanson and Ganetakos, for your confidence in Universal Pictures. We will do our part!**

"Ladies" and Show Strong On the Coast

Los Angeles, Aug. 2.—In spite of the hottest weather of the year, business held up in downtown first runs last week. "Ladies Should Listen" and a stage show at the Paramount slipped over par by $1,585 for a total of $19,585.

"Handy Andy" got off to a good start at Loew's State with $14,150, and "Friends of Mr. Sweeney," playing at Warners' Hollywood and Downtown, took $14,000 at the former and $12,600 at the latter.

Total first run business was $68,435. Average is $69,200.

Estimated takings for the week ending Aug. 1:

"HANDY ANDY" (Fox)
LOEW'S STATE—(2,413), 30c-55c, 7 days. **Gross:** $14,150. (Average, $14,000)

"LADIES SHOULD LISTEN" (Para.)
PARAMOUNT—(3,595), 30c-55c, 7 days. Stage: Kay Van Riper in person, F. & M. revue. **Gross:** $19,585. (Average, $18,000)

"OF HUMAN BONDAGE" (Radio)
RKO—(2,700), 25c-40c, 2nd week, 7 days. **Gross:** $4,300. (Average, $8,000)

"FRIENDS OF MR. SWEENEY" (War.)
WARNER BROS. (Hollywood)—(3,000), 25c-55c, 7 days. **Gross:** $14,000. (Average, $14,000)

"FRIENDS OF MR. SWEENEY" (War.)
WARNER BROS. (Downtown)—(3,400), 25c-55c, 7 days. **Gross:** $12,600. (Average, $12,000)

"CHARLIE CHAN'S COURAGE" (Fox)
"NO RANSOM" (Liberty)
PANTAGES—(3,000), 25c-40c, 7 days. **Gross:** $3,800. (Average, $3,200)

Seattle Allied in Competition Battle

Seattle, Aug. 2.—A vigorous fight is being waged by James M. Hone of Allied against the American Legion's application for permission to run a dance marathon within the city limits and a proposal to put a dog racing referendum on the ballots at the next city election.

New Majestic Book Out

Majestic has just issued a new type press book which from the outside looks like a brown leather volume with Florentine stampings in gold. Details on the company's 12 features are printed on loose-leaf buff sheets in black and red. There are 32 pages. Two of the company's new lists have been completed. The book is the work of E. H. Goldstein, executive vice-president, and Raymond Cavanagh, advertising director.

Omaha Board Is Upheld

Omaha, Aug. 2.—Two decisions of the local grievance board have been upheld by Campi. One was the overbuying complaint of E. E. Seff, operator of the Rialto, Sioux City, Iowa, against the Orpheum, and the other was the coupon ticket ban imposed in the complaint of T. C. Shipley, Clay Center, Neb., against George K. Werner, Fairfield, Neb.

Set "Blue Light" Deal

DuWorld Pictures and Gil Boag have closed the first roadshow deal for "The Blue Light," foreign production which had a run at the Little Playhouse several weeks ago. It opens Sept. 6 in the Fine Arts Theatre, Boston.

Looking 'Em Over

"Name the Woman"

(Continued from page 2)

that makes up, in a small way, for the film's deficiencies in the first half.

Cromwell, as the reporter, aids Miss Judge in clearing her name after she has been implicated in the murder of a district attorney, who had been on the verge of aiding her father in his campaign for mayor. By observing obvious details Cromwell finds clues pointing to the identity of the real murderer and pursues them through several sequences, finally winding up with a chase that starts up in the hills, winds down a mountain and ends on the desk of the city editor. He marries the girl. Running time, 60 minutes.

MOTION PICTURE DAILY'S HOLLYWOOD PREVIEW

"British Agent"

(Warners)

Hollywood, Aug. 2.—As a chronicle of the Russian revolution during the World War and the efforts of the Allies to prevent Russia from signing a separate peace with Germany, this picture takes its place among the powerful dramas of this screen era. Excellently produced in all departments, the film is charged with realism and emotional appeal.

The theme centers around the conflict between the patriotic feeling for his country and the romantic love of a British agent (Leslie Howard) for a Soviet leader (Kay Francis). Howard, stranded in the vacated English embassy, is finally assigned unofficially to prevent Russia from signing the peace treaty with Germany. The mutual romance, menaced by Miss Francis' devotion to the Red cause and Howard's patriotic fervor, grows in tensity as the girl betrays the agent. Unable to keep his promises to the Soviet, Howard becomes the motivating power behind strong revolutionary cliques in Moscow.

The climax finds Howard accused of the attempted assassination of Lenin. Miss Francis, finishing her work for her country, prepares to accept the sentence of death with Howard when Lenin is pronounced out of danger, releasing all political suspects and sending the lovers to England and happiness.

Powerful characterizations by Howard, Miss Francis, William Gargan, Phillip Reed and Irving Pichel balance the cast. The screen play and dialogue by Laird Doyle is of the highest caliber. Michael Curtiz's direction is excellent. Ernest Haller's photography is an asset. Running time, 72 minutes.

"One More River"

(Universal)

Hollywood, Aug. 2.—Class rather than mass appeal is this portrayal of the John Galsworthy novel. The atmosphere and characters are completely British. The daring theme is intelligently handled and preserves the basic moral sock. There is little smash action. The limited, effective comedy is of the situation variety.

The plot presents Diana Wynyard, whose love for her husband (Colin Clive) is dead, returning to England to escape his suspicious cruelty. Aboard her boat love blossoms with Frank Lawton. Atmospheric sequences reflect the typical British divorce detestation. The lovers' romance is spied upon by Clive's agents. With divorce as the only solution, the drama builds powerfully in court. Lionel Atwill and Allan Mowbray, as the opposing barristers, give dramatic impetus. Miss Wynyard, though mercilessly provoked, maintains her honor, defends her husband's dignity and protects her lover. With the divorce granted, Miss Wynyard would surrender to Lawton in payment of her debt, only to have the sanctity of pure love prevail.

Miss Wynyard, Lawton and Clive give masterful performances. Atwill and Mowbray are effective. The comedy relief is handled by Mrs. Pat Campbell and E. E. Clive. Benefited by handsome mounting and unusual photography, John Whale's direction is a decided asset. Intelligent showmanship should overcome the handicaps almost sure to be found in the domestic market. Running time, 90 minutes.

"Drummond" Aug. 16

"Bulldog Drummond Strikes Back" is slated to follow "The House of Rothschild" into the Rivoli about Aug. 16.

Loew's Drops Freeman

Loew's dropped the Freeman in the Bronx. The house is now closed. So is the Seventh Ave., but the latter will be reopened in September.

Zirn's Para. Appeal Delays Moves on FWC

(Continued from page 1)

Charles E. Richardson and Eugene W. Leake, Paramount trustees, are disqualified from acting in the matter because of former affiliations with Fox Film and Chase National Bank. Richardson, a former vice-president and treasurer of Fox, voluntarily took no part in the negotiations from which the claim settlement plan resulted. Zirn, however, maintains that with Richardson and Leake disqualified from acting no majority action by the Paramount trustees is possible.

The claim settlement involves about a dozen large theatres in San Francisco, Oakland and Portland which are sublet to F.W.C. by Paramount under new lease and operating agreements contained in the plan. The settlement of these operating agreements is tied in with the F.W.C. reorganization plan closely enough to make it difficult to proceed with the latter until the Paramount claim settlement has been decided.

To File Application Monday

Zirn, who has a record of objections to Paramount bankruptcy proceedings dating back over a year, asserts also that he will have ready for filing with the U. S. Circuit Court of Appeals on Monday an application for an appeal from the district court order making permanent the recent appointment of the Paramount Publix trustees. Zirn opposed the appointment of the trustees at the time of the Paramount bankruptcy and again when the company filed its petition for reorganization under the new bankrupcty laws.

Federal Judge Alfred C. Coxe yesterday denied a petition of Allied Owners, Paramount creditor, to intervene in the Paramount reorganization proceedings.

Ontario Censors Are Requested to Resign

(Continued from page 1)

force. He has been chairman for 10 years. Three other censors, Mrs. Eva Moran, E. J. Byrne and J. B. Hardwicke, are listed as on temporary service.

It is intimated that the board will be reduced under the economy wave now sweeping the government.

It is expected that Otter Elliott, former chairman and party worker, will be officially named soon as the new chairman.

"Night of Love" Shown

About 1,400 exhibitors and their wives attended the trade preview of Columbia's "One Night of Love" at the Astor yesterday morning. A number of circuit heads were present. Tulio Carminati was a guest. "One Night of Love" was reviewed in the Motion Picture Daily on June 23.

Randforce Takes Another

Randforce has taken a lease on the new 750-seat theatre now being completed at Church St., Brooklyn. The house opens the latter part of next month.

Extra! Extra! Extra! Extra! Extra! Extra!

(*By telegraph to Metro-Goldwyn-Mayer*)

"Just received information that JEAN HARLOW in THE GIRL FROM MISSOURI opened to biggest business Apollo Theatre Atlantic City has ever done stop for the first time this season even the balcony was jammed stop this is not only unusual but phenomenal and one of the few times in motion picture history that the word COLOSSAL can be used truly"

"DID I HEAR YOU SAY 'COLOSSAL!'"

Toeplitz to Aim Product For America

By BRUCE ALLAN

London, Aug. 2 (By mail).—Prospects of a further supply of quality films from England for America are advanced by the announcement that Toeplitz Prod., Ltd., has started preliminary work on "The Dictator," its first film.

Toeplitz is going to concentrate on two or three pictures a year, all big. "The Dictator," starring Clive Brook, will be costume, the setting the eighteenth century court of Christian VII of Denmark.

Toeplitz de Grand Roy, managing director of the new company, was co-principal with Alexander Korda at London on "Henry VIII" and previously piloted Cine-Pittaluga of Rome. He is definitely working for an American outlet.

Harold Huth, well known British stage and screen actor has joined Toeplitz as personal adviser on production.

Huth made a big hit in the stage production of "The Outsider" and in the film of the play, produced by Eric Hakim and distributed by M-G-M here.

* * *

Consolidation of the Maxwell group of companies has been completed by the acquisition by Associated British Pictures Corp., Ltd., of the shares of Associated British Cinemas, Ltd., and British Instructional Films (Proprietors), Ltd. Ninety-five per cent of shareholders accepted the reconstruction scheme, which gives A.B.C. a capital of $14,667,785, of which 1,383,557 shares are cumulative 60 per cent preference of $5 value and 6,200,000 ordinaries of $1. A. B. C. now controls B. I. P. of Elstree, British Instructional of Welwyn, Wardour Films, Ltd., and Pathe Pictures, Ltd.. as well as the A. B. C. circuit of 200 theatres.

* * *

August 20, George Arliss begins rehearsals for "Wellington" for G-B and will have the studio to himself for a fortnight. Mechanical overhaul has given the technical staff a holiday.

* * *

Alistair Cooke will be British Broadcasting Corp.'s next film critic. He succeeds Francis Birrell in the fall. Cooke has written a lot for English papers about Hollywood where he recently worked on the script for Chaplin's new film. Appointment, in effect, carries sole rights to radio criticisms of films, B. B. C. having a monopoly of the British air.

Brooksville House Burns

Brooksville, O., Aug. 2.—Fire believed to have started by an explosion of combustible materials backstage in the Pastime, completely destroyed the house and gutted the building which houses it with loss estimated at $60,000.

H. J. Chapman Injured

Omaha, Aug. 2.—H. J. Chapman, Columbia exchange manager, has three broken ribs. He was injured making a dive at a local beach.

Variety Club Chatter

Washington

Washington, Aug. 2.—The last luncheon of the present season called forth the largest number of barkers so far. More than 100 gathered. Carter T. Barron and Sam N. Wheeler were kings-for-a-day.

The next luncheon will be held on Sept. 10. On Aug. 20 the tent will gather at the cottage of A. Julian Brylawski on the Wicomico river for a brief outing.

George Marshall, publisher of *The Washington Times,* was guest of honor. Other guests included C. Dorsey Warfield, business manager of the *Times,* and Gene Ford, Loew production expert in Washington.

Featured was a pseudo-radio program, "Variety on Review," wherein the early days of the national organization were dramatized and various barkers awarded "24 sheets," or "eggs," according to whether praise or censure should be given.

Arthur Godfrey, CBS announcer, was master of ceremonies, with Evelyn Tyner, Three Radio Aces, and Bert Granoff assisting.

Further divertissements were added by Hal Leroy, Phil Harris, Leah Ray, Charlie Foy and company, and Sammy Lewis and Patti Moore.

Cincinnati

Cincinnati, Aug. 2.—Col. Arthur Frudenfeld and the better half are vacationing via motor in Michigan and Canada. It's a two-week furlough.

Pete Wood, J. Real Neth and Max Stearn of the Columbus tent were among those present around local headquarters last week.

Barker John Schwalm is back at his desk after a fortnight's sojourn into Vermont and New York.

E. V. Dinerman, RKO publicist, busy showing his brother from Brooklyn, the local sights.

Joe Goetz is back at the old stand in the RKO bookers' chair, sans tonsils.

Cleveland

Cleveland, Aug. 2.—Frank D. Drew, local M-G-M branch manager, has been elected president of the Variety Club. He succeeds Eddie Fontaine, who has been transferred to Chicago as Paramount district manager.

Nat Holt, RKO district manager, has been elected first vice-president, succeeding H. M. Addison, transferred from Cleveland to the Boston Loew division. Nat Wolf, Warner zone manager, is the new second vice-president. I. J. Schmertz, Fox branch manager, continues as secretary and M. B. Horwitz as treasurer.

Due to this shift of officers and also to a vacancy in the board of directors caused by the death of Harry Howlett, Jack Schulman, Utopia Theatre, Painesville; Nat Lefton, Monogram franchise owner, and Warren Wade were elected to the board.

The first fall luncheon meeting of the club will be held Sept. 10 with Jack Schulman and Mike Speciale as kings.

Film Shortage Hits Czecho-Slovakians

Washington, Aug. 2.—Shortage of American films in Czecho-Slovakia is affecting theatre business in Prague, says Commercial Attache Sam E. Woods in a report to the U. S. Department of Commerce. The decrease for the first six months this year is estimated at 30 per cent.

Non-American films, while being imported cannot meet the demand. American pictures brought in three or four years ago are now being run in first run houses, as the local public prefers old American pictures to new German ones.

Nebraska Houses Close

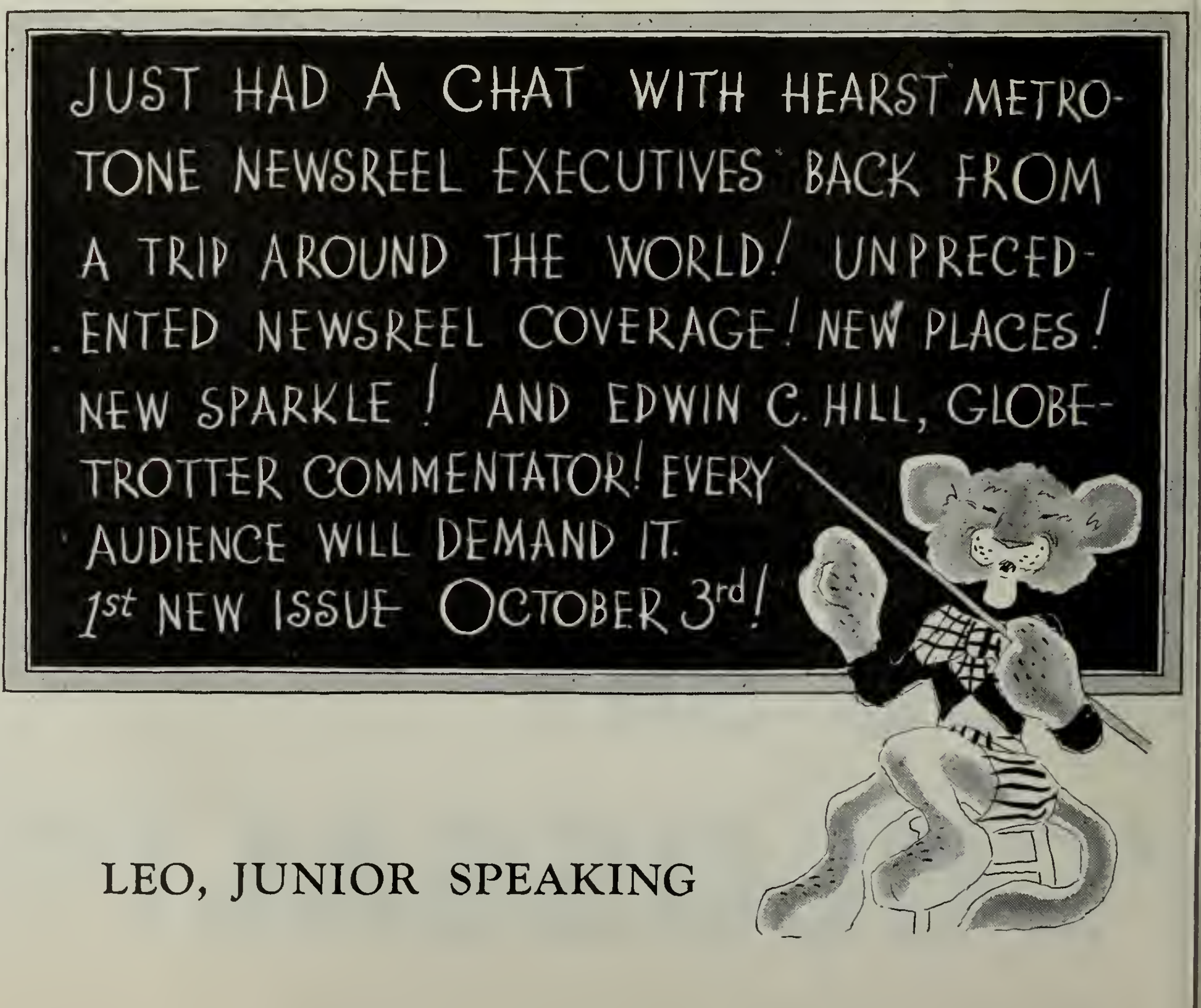
Omaha, Aug. 2.—Seven theatres in Omaha trade territory have been closed within the past week. The houses folded for reasons ascribed to the extreme drouth, heat, clean film drive and lack of product. They include: Prague, Neb.; Valparaiso, Neb.; Springview, Neb.; Red Oak, Iowa; Stromberg, Neb.; Scribner, Neb.; Lawrence, Neb.

Peter Mallers Expands

Defiance, O., Aug. 2.—Peter Mallers, owner of the Riley and Family in Ft. Wayne, as well as houses in Warsaw, Portland and Bluffton, Ind., has taken over the Valentine and Elite here in association with William Thomas of Auburn, Ind. The Valentine is the only local deluxer.

Campi Rests Today

Campi's appeal committee will not meet today, the session being limited to three this week.


JUST HAD A CHAT WITH HEARST METROTONE NEWSREEL EXECUTIVES BACK FROM A TRIP AROUND THE WORLD! UNPRECEDENTED NEWSREEL COVERAGE! NEW PLACES! NEW SPARKLE! AND EDWIN C. HILL, GLOBE-TROTTER COMMENTATOR! EVERY AUDIENCE WILL DEMAND IT.
1st NEW ISSUE OCTOBER 3rd!

LEO, JUNIOR SPEAKING

The Leading Daily Newspaper of the Motion Picture Industry

MOTION PICTURE DAILY

Alert, Intelligent and Faithful Service to the Industry in All Branches

VOL. 36. NO. 29 NEW YORK, SATURDAY, AUGUST 4, 1934 TEN CENTS

ITOA Denied An Injunction Against Campi

Non-Assentors Must Go To Trial, Is Ruling

I. T. O. A.'s petition for a mandatory injunction, pending a trial, to require Code Authority to accept complaints from non-assentors to the code against code signers and restraining Campi from accepting complaints against the non-assentors, was denied yesterday by Judge Henry W. Goddard in U. S. District court here.

Judge Goddard's opinion holds that I. T. O. A. failed to disclose sufficient reason for issuing the injunction and failed to show that it had been made

(*Continued on page* 3)

GFTA Talks Fund To Build Theatres

ATLANTA, Aug. 3.—Raising of a fund to build theatres in towns dominated by circuits is under discussion by members of the G.F.T.A. Another meeting for the purpose of discussing the project is scheduled for Aug. 8 at the Hotel Robert Fulton here.

There is considerable agitation over a report that circuits have building plans in prospect.

Stronger representation for independents on code boards is also to be discussed.

Para. Patent Claim Appeals Disallowed

Claims against Paramount Publix filed by American Tri-Ergon Corp. for an undetermined amount and by De Forest Associates and General Talking Pictures Corp. for $2,000,000, all for alleged infringements of sound patents, were disallowed and ordered expunged by Federal Judge Robert P. Patterson in U. S. District Court here yesterday.

Judge Patterson's order upheld

(*Continued on page* 3)

Fox to Hit August Peak with 9 Films

HOLLYWOOD, Aug. 3.—Production at Fox will hit a new summer peak during the month of August with nine features slated for the camera.

Pictures now in work, which will continue well into the month, are "Marie Galante," "Music in the Air,"

(*Continued on page* 2)

Fox Met Bid Withdrawn By Loew's and Warners

Reason Given Is That Purchase Would Be "Unprofitable"

The Loew-Warner bid for Fox Metropolitan Playhouses was withdrawn yesterday as suddenly as it was made two months ago.

No official reason other than that it had been decided by the bidders that the deal would be "unprofitable" was given by any of those concerned. Unofficial information, however, held that an impasse between the bidders and the Fox Met bondholders' committee had been reached which made further negotiations impossible. In addition, the legal moves of minority bondholders in Fox Met which seek reorganization of the circuit under the new bankruptcy laws and demand an examination of officers of Loew's,

(*Continued on page* 2)

Theatres May Join in Radio ASCAP Action

The exhibitors' battle against the American Society of Composers, Authors & Publishers may be joined with that of radio broadcasters whose anti-trust law action seeking the dissolution of the society goes to trial in U. S. District Court here in October, it was learned yesterday.

Consolidation of the exhibitors' cause with that of the radio broadcasters was indicated as the exhibitors' legal committee which is preparing a campaign of litigation against the society took up the study of the bill of complaint filed by the broadcasters in their action against the society. In Philadelphia, the Independent Exhibitors' Protective Ass'n. met yesterday and authorized Ben Goldberg, president, to petition for permission from the broadcasters to intervene in their suit. If permission is granted, the Philadelphia

(*Continued on page* 4)

Cleveland Stay on Duals Is Continued

CLEVELAND, Aug. 3.—A temporary injunction granted the Halworth Theatre Co. on Thursday restraining the Family Theatre from showing dual bills in violation of the single feature agreement has been continued until further notice by Judge Lee Skeel.

Submission of briefs has been ordered on the question of the legality of the single feature agreement.

First Radiograms

After 19 years traveling from London to America, Jeffrey Bernerd has had something happen to him on this trip which never occurred before.

He says he received four radiograms on the boat.

They are the first he ever received on the high seas.

Says Gaumont Is Forced to U. S. Selling

Declaring Gaumont British is forced to open exchanges and enter theatre exhibition on its own in order to secure outlets for its product, Jeffrey Bernerd, managing director, upon his arrival from England yesterday stated that for years his company had been trying to make deals with American companies with little success.

He added that the company has as much money as it needs to go ahead with its plans, which are expected to be completed by Aug. 15, when Mark Ostrer arrives on the *Berengaria*. Bernerd said the money needed is already here.

"Gaumont British is not anxious to enter the exchange and theatre business in America, but we have to do it to get representative bookings," he said. The company has 26 pictures scheduled for next year, he said, and

(*Continued on page* 3)

Half-Year Profit for Fox Leaps to $1,199,241.77

How far Fox Film Corp. has advanced on the road back to prosperity was made known yesterday with release of its financial report for the first six months of 1934. It showed a profit of $1,199,241.77 after Federal taxes and other charges. This contrasts with a loss of $482,406 for the first half of 1933.

The second quarter ending June 30, this year, returned a profit before Federal taxes of $458,865, compared with a profit of $74,717 for the second quarter of 1933.

Net operating profit before Federal taxes for the six-month period was $1,389,242. On the basis of 2,436,409

(*Continued on page* 2)

Want School Board Film Supervision

WASHINGTON, Aug. 3.—A new attack on the film industry was discussed here today by the National Congress of Parents and Teachers. It is a plan to make local school boards responsible for pictures shown to children in their communities. It will be laid before state groups of the organization in the near future.

The organization holds that pictures for children "should be produced,

(*Continued on page* 3)

Hearing Ordered on New Censor Measure

ALBANY, Aug. 3.—A public hearing has been ordered by the committee on education of the Assembly on the Breitbart bill providing for special censorship for films to be shown to children.

Decision to hold the hearing was made as a result of pressure for a report.

Theatre Boycott Is Threat in Chicago

CHICAGO, Aug. 3.—A boycott of theatres is threatened here by the Legion of Decency for those houses which persist in showing films under the legion ban. Vigilance committees are visiting neighborhood houses and warning them of an organized boycott.

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Five Circuits Sign For U. A.'s Product

Contracts for exhibition of its 1934-35 product have been closed by United Artists with five major circuits. The quintet are Warners, Loew's, Famous Players Canadian, the Cooper Enterprises of Colorado (Publix) and the Frank H. Durkee Enterprises of Baltimore.

Horne Flies West Today

Hal Horne, director of advertising and publicity for United Artists, and E. J. Churchill, head of the advertising firm of Donahue and Coe, depart for Hollywood by plane today for conferences with Samuel Goldwyn and Lynn Farnol on advertising plans for "We Live Again" and "Kid Millions." Churchill will return to New York immediately following the conferences, while Horne will not get back until Aug. 13.

U.A. Western Meet Today

CHICAGO, Aug. 3.—Western managers of United Artists gather in conference here tomorrow at the Drake Hotel. Al Lichtman, vice-president and general manager in charge of distribution, will preside.

Canada Censor to Coast

HOLLYWOOD, Aug. 3.—Gordon Sloan, attorney general for British Columbia, who is in charge of censorship in the province, will arrive here by plane Sunday for a visit to the studios.

Half-Year Profit for Fox Leaps to $1,199,241.77

(Continued from page 1)

shares of Class A and B stock, the consolidated net for the period, after all charges, amounts to 49 cents per share.

On Dec. 30, 1933, the consolidated earned surplus was $1,674,354. Addition of the $1,199,241.77, with $39,716 realized from foreign exchange adjustments, puts the earned surplus for June 30 at $2,913,312, all of which has accumulated, according to the report, since the reorganization of the company April 1, 1933.

Wesco Corp. theatre operations are not included because operating subsidiaries of that company are in bankruptcy.

Gross income from sales and rentals of films and literature, dividends and other sources totalled $18,694,958.03 for the 26-week period. Expenses, including operation of exchanges, home office, administration, amortization of production costs and participation in film rentals totalled $16,985,954.26.

Fox to Hit August Peak With 9 Films

(Continued from page 1)

"Charlie Chan in London" and "State vs. Elinor Norton."

Five new pictures set for this month are: "365 Nights in Hollywood" with Alice Faye and James Dunn, "Lottery Lover" with Lew Ayres and Pat Patterson, "Hell in the Heavens," starring Warner Baxter, a Jesse L. Lasky production, "White Parade" and "Man-Lock," co-featuring Edmund Lowe and Victor McLaglen.

Dillinger Short Flops

CINCINNATI, Aug. 3.—The Strand, downtown independent, this week played "The Life of Dillinger" as a short, displaying it over the feature, "Let's Talk It Over." The lobby was plastered with stills on the gangster, but the public failed to show much interest.

Rabell Quits Consolidated

William Rabell has resigned from Consolidated Film Industries. He plans to go into business for himself.

Bid for Fox Metropolitan Is Withdrawn

(Continued from page 1)

Warners and the principal bondholders' committee are regarded as adding unexpected complexities to the Loew-Warner deal and, perhaps, even tending to cloud title to the Fox Met houses while the actions remain undecided.

Further influencing withdrawal of the $4,500,000 bid for the circuit, it was hazarded, is the skeptical attitude toward the deal entertained by the Department of Justice which has been unofficially observing the progress of negotiations from the angle of a possible violation of anti-trust laws. Moreover, it is held in some quarters that the attitude of the industry throughout the metropolitan area has been one of distinct disfavor toward the Loew-Warner objective and may have resulted in influencing the final decision to withdraw the bid.

Subsequents Especially Opposed

Subsequent run exhibitors, in particular, have opposed acquisition of Fox Met by Loew's and Warners on the theory that the deal would result, in widespread setting back of second and third run competitive houses in the affected areas, while the Fox Met houses, the exhibitors believe, would be advanced to first runs.

J. Robert Rubin, general counsel for Loew's, who has been in charge of the Fox Met negotiations for his company, verified the news of the withdrawal of the Loew-Warner bid yesterday.

"We came to the decision that the deal would be unprofitable," Rubin said.

Joseph Bernhard, Warner theatre head, was reported out of town for the week-end by his office and no comment was available from Abel Cary Thomas, Warners' counsel, who has been active in the Fox Met negotiations.

Morton G. Bogue, attorney for the Fox Met bondholders' committee, was undecided as to what procedure would be recommended by the committee at the Federal court hearing before Judge Julian W. Mack on Monday.

"The situation is too unsettled to permit predictions," he said. "There are changes from hour to hour."

Bogue indicated, however, that three courses of action are possible. One is to proceed with the plan of reorganization developed by the bondholders' committee prior to the Loew-Warner negotiations. This plan retains Skouras and Randforce as operators of the houses for the bondholders. A second course is to seek new bidders for the circuit on the outside and the third is a reorganization of the circuit under the new bankruptcy laws.

Meanwhile, Federal Judge Martin Manton of the U. S. Circuit Court of Appeals heard the minority bondholders' petition for leave to appeal from Judge Mack's order denying them the right to examine officers of the principal bondholders' committee. The petition was heard in Judge Manton's chambers yesterday afternoon and was taken under advisement by the court.

Eastman Off ½ on Big Board

	High	Low	Close	Net Change	Sales
Columbia Pictures, vtc	27½	27	27	+ ⅜	400
Consolidated Film Industries	2⅞	2⅞	2⅞	+ ⅛	100
Eastman Kodak	98¼	98¼	98¼	— ½	100
Fox Film "A"	10¼	10¼	10¼	— ⅜	100
Loew's, Inc.	25⅝	24¾	25¼	.....	6,100
Paramount Publix, cts	3¼	3⅛	3¼	.....	1,700
Pathe Exchange	1⅜	1¼	1⅜	+ ⅜	600
Pathe Exchange "A"	14½	14	14½	+ ⅜	900
RKO	2	1⅞	2	.....	300
Warner Bros.	3⅞	3¾	3⅞	— ⅛	1,800

Technicolor Up ½ on Curb

	High	Low	Close	Net Change	Sales
Technicolor	13	12½	12½	+ ½	600
Trans Lux	1¾	1¾	1¾	.....	100

G. T. E. Bonds Soar 1½ Points

	High	Low	Close	Net Change	Sales
General Theatre Equipment 6s '40	6½	6	6½	+1½	7
Keith B. F. 6s '46	60⅜	60⅜	60⅜	+ ⅛	1
Loew's 6s '41, ww deb rights	100¾	100½	100¾	+ ⅝	3
Paramount Broadway 5½s '51	38	37½	37½	+1½	2
Warner Bros. 6s '39, wd	54¾	54¾	54¾	— ¼	2

Purely Personal

GENE SCHWALM of the Universal art department was feted by members of the staff at a dinner yesterday prior to his leaving for Lake George on a vacation. RUSSELL GALE, head of the department, presided.

EUGENE ZUKOR, SI SEADLER, MORT SPRING, LOU PHILLIPS, SI FABIAN, JACK TROPP, E. PICKER, NAT COHEN and DAVID LOEW were among those lunching at the M. P. Club yesterday.

KING VIDOR, director and producer; HARVEY THEW, M-G-M scenarist, and family; RUTH SELWYN, actress, will be among the *Champlain's* passengers when it sails today.

JEAN CADELL, British actress, is here at the Warwick on her way to Hollywood to play in M-G-M's production of DICKENS' "David Copperfield."

JOHN ERSKINE'S "Bachelor of Art" has been acquired by Fox. TOM BROWN and ANITA LOUISE will be featured.

BERNARD BROOKS, booker for the New Jersey Paramount exchange, returns from his vacation Monday.

MARCO WOLFF left for the coast yesterday. Plans to go straight through without stopovers.

PAT CASEY says he'll be around town for another three weeks before hying to the coast.

S. R. KENT plans to make another trip to Hollywood shortly.

CHARLES O'REILLY has left for a week-end rest up-state.

"Flu" Gets Miss Allwyn

HOLLYWOOD, Aug. 3.—Astrid Allwyn, Fox player, is ill at her home here of influenza.

ITOA Denied An Injunction Against Campi

(*Continued from page* 1)

to suffer or was threatened with "irreparable injury." The opinion also terms I. T. O. A.'s action as seemingly inconsistent.

"Aside from the fact that the position of the plaintiffs (I. T. O. A.) seems inconsistent in contending that they themselves are not subject to these provisions of the code so as to permit complaints of its violations by them to be entertained, yet that they are entitled to its benefits and to file under the code complaints against their competitors notwithstanding they declined to assent or to pay their prorata expense of administering it; I do not think," Judge Goddard's opinion reads, "that the papers disclose clear and convincing grounds for the granting of the extreme remedy of a mandatory injunction before trial, or that plaintiffs are suffering or threatened with irreparable injury.

"Exactly what the various complaints may be, whether they have merit, are reasonable or not, and whether the defendants exercise reasonable discretion, are matters that should be developed by trial," the opinion concludes.

The I.T.O.A. action made the local grievance board and clearance and zoning board defendants, as well as Campi. William D. Whitney of Cravath, de Gersdorff, Swaine & Wood is acting as counsel for Campi in the case. Milton C. Weisman is attorney for I. T. O. A.

Campi yesterday verified the decision in an official statement.

Order Stoppage of Film for a Church

Cincinnati, Aug. 3.—The Indianapolis grievance board has ordered Cincinnati and other exchanges to discontinue furnishing product to the St. Therese Catholic Church Gym, at Louisville, Ky., on the ground that this organization, although showing non-theatrical film, is nevertheless operating a picture theatre in competition with the established houses of the complainant, the Baxter Amusement Co., which operates the Baxter, Broadway and Tower.

The bill of complaint filed by the Baxter interests sets forth that the respondent shows pictures on Sunday and Monday of each week for which an admission is charged.

The church through its attorney has taken an appeal to Campi.

Trendle Plaint to N. Y.

Detroit, Aug. 3.—Unable to reach a decision in the complaint brought by George W. Trendle against Lew Wisper over the lease of the Eastown Theatre, ace neighborhood house here, the local grievance board is forwarding the case to Campi in New York for adjudication.

Rosenblatt to Talk

Hollywood, Aug. 3.—Division Administrator Sol A. Rosenblatt says that he will issue a formal statement on his activities here before leaving Monday night.

Few Protests In

Washington, Aug. 3.—Very few protests against the producer-distributor assessments announced last week have so far been received, it was said today by William P. Farnsworth, acting head of the NRA amusement division.

Only three or four objections have been voiced, Farnsworth said, all from small distributors who felt that they had been rated too high. None of these complaints was aimed at the basis or method of assessment, he stated.

Court Refuses Move In Injunction Case

St. Joseph, Mo., Aug. 3.—Refusal of Judge Merrill E. Otis in Federal court here to reopen the injunction proceedings brought by Dubinsky Bros. Theatres against the theatrical crafts means "clear sailing for the permanent injunction in the September term of court," according to Dubinsky's attorneys.

At the same time, attorneys for the unions announced they would resist the granting of a permanent injunction. Judge Otis granted the temporary writ last March 12 restraining the local operators' and stage hands' unions, both affiliated with the I. A. T. S. E., and the musicians' union from committing violence at the Dubinsky houses.

Denying the unions' motion to file an answer to the suit, Judge Otis reiterated that evidence presented at the time of the hearing showed the defendants "guilty of unlawful conduct." The judge based his decision on the fact the defendants had ample time to file an answer after the Dubinskys started proceedings last March, but they had failed to do so. He pointed out this could not be considered an oversight since nearly 100 days had elapsed since the answer should have been filed.

Amusements Report Will Be Ready Soon

Washington, Aug. 3.—The U. S. Census Bureau next week is expected to make public its report on the nation's amusement industries.

Statisticians in the bureau, it was learned today, are putting the finishing touches on the figures compiled from a survey recently made with funds provided by the Public Works Administration.

The inquiry was not concerned with production or distribution, but was confined to the "retail" end of the amusement industries—that is, theatres, parks and other enterprises—in cities, large and small, throughout the country.

Lockout in Alliance

Alliance, O., Aug. 3.—Rex Theatre operators have been locked out as a result of a controversy with the management. The union claims the house broke its contract.

Moorehead Made Mgr.

Baltimore, Aug. 3.—Harry P. Moorehead is back in town as manager of the Embassy.

Want School Board Film Supervision

(*Continued from page* 1)

distributed and exhibited by educators, dramatists and playwrights of professional standing, instead of those motivated solely by a desire for personal profit."

The program was outlined by Mrs. Robbins Gilman, national chairman of motion pictures, who emphasized that the influence of 20,000 local groups will be focused upon pictures under a three-year plan which is now developing.

As might be expected, the campaign will include an attack upon the industry and support of legislation to control trade practices such as block booking. It also proposes to establish film libraries in communities for showing to children.

"The parent-teacher organization will cooperate with educational institutions and governmental departments to secure improvement in the selection and treatment of subject matter used in film production," Mrs. Gilman stated. "We shall not cooperate with companies conducting recreation for profit, either by previewing or by listing theatrical films in any connection."

G. T. E. Bondholders Win a Chase Ruling

Bondholders of General Theatres Equipment Corp. have won a point in their suit against the Chase National Bank with the signing of an order by Supreme Court Justice Steuer granting a judgment that part of the collateral received by the bank on a loan to the company is held for the bondholders on the ground the security was advanced in violation of the terms of the trust indenture. The action was filed against the bank both individually and as trustee of the $30,000,000 in G. T. E. bonds issued April 1, 1930.

Justice Steuer decided that G. T. E. collateral held by the bank may be sold on 10 days' notice at a time and under conditions to be set by the court.

The 30,000,000 bond issue, one of the underwriters of which was Chase Securities, formed part of the financing of the obligations of Fox Film and Fox Theatres.

Commenting on the advancement of Fox "A" stock and other collateral to cover loans made by the bank to G. T. E., Justice Steuer said that if the transaction was a violation of the agreement in the indenture, "there can be no dispute that the defendant violated a duty to the bondholders in participating in an act which it undertook to prevent the corporation from doing."

Ballance Plane Down

Atlanta, Aug. 3.—Harry G. Ballance, southern district sales manager for Fox, accompanied by George D. Potter, assistant advertising sales manager, were in a forced plane landing near Richmond, Va., this week. Ballance, who owns and pilots his own plane, was en route to his office in Atlanta from a trip east. The plane landed on the Hermitage golf course, narrowly missing two women golfers. Only slight damage was done the plane and, beyond a shaking up, both men were unhurt.

Says Gaumont Is Forced to U. S. Selling

(*Continued from page* 1)

the best offer he has received from an American distributor has been for five. He added that G-B would not be satisfied with less than 15.

Several deals are under way for a sales executive to handle the company's exchanges, he declared. This deal is not expected to be closed for a few weeks. Bernerd asserted he would not return to England until his exchange plan had been completed. He went into conference with Arthur Lee, American representative, as soon as he got off the boat.

Bernerd was reluctant to admit negotiations were under way for the Roxy and was taken by surprise when the subject was brought up. He did admit it, however, but said the deal was not a vital part of the trip. He said he had received a telegram from one of the men identified with Roxy interests which indicated a conference will take place between the two sometime next week.

Brings 7 Films With Him

Asked whether he would take a booking deal instead of a purchase pact, Bernerd would not comment.

As part of his baggage were seven pictures: "Chu Chin, Chow," "Jew Suss," "Little Friend," Jan Kiepura in "My Song for You," Evelyn Laye in "Princess Charming," "Unfinished Symphony" and "Man Arran." Within the next two months George Arliss will start work in England on G-B's "Iron Duke," a story of the Duke of Wellington, which will be followed by two others.

The general manager stated that all of the films brought over were clean and wholesome and without objectionable material.

William O'Brien, British theatrical agent, was on the same boat and left for the coast immediately after his arrival. He is understood to be on a talent signing mission for G-B although Bernerd would not comment on this.

"We are after American stars for our pictures," was all that he would say.

Para. Patent Claim Appeals Disallowed

(*Continued from page* 1)

similar rulings on the three claims made earlier by the late Referee Henry K. Davis. The sound patent claimants appealed to the district court from Referee Davis's rulings.

In ordering the claims expunged, Judge Patterson held that patent infringement claims are not provable in bankruptcies but are properly tort actions.

Baltimore Hipp Opens

Baltimore, Aug. 3.—Following a heavy advertising campaign, the Hippodrome was given an elaborate opening last night. "Of Human Bondage" is the feature and Sylvia Froos heads the vaudeville program. During the six weeks the house was closed it was renovated. New chairs, carpets, lighting fixtures and stage equipment were installed.

Theatres May Join in Radio ASCAP Action

(Continued from page 1)

organization would share in costs of the action.

Newton D. Baker, former Secretary of War under President Wilson, is counsel for the broadcasters in their anti-trust suit against the society. The suit was initiated here about a year ago by Station WIP, Philadelphia, and the Pennsylvania Broadcasting Ass'n. It is understood to have the support of all principal broadcasting companies and radio stations. Its principal allegation is that the ASCAP is a monopoly in restraint of trade. The suit asks that the society be dissolved.

Spokesmen for the exhibitors' legal committee indicated yesterday that the dissolution sought in the broadcasters' action might not affect the society's functioning in collection of seat taxes from theatres, as radio broadcasting is an intangible while films are commodities in interstate commerce.

It was made plain, however, that close study of the radio action would be given by the committee and that the eventual course adopted would closely parallel if it did not join with that of the broadcasters. Numerous incidental legal and legislative plans are also being considered by the committee in the national fight against the new schedule of music taxes fostered by the ASCAP which, it is estimated, will increase theatre music imposts 300 to 1,000 per cent. when they become effective Oct. 1.

The national exhibitors' legal committee is comprised of counsel for Allied States, M.P.T.O.A., I.T.O.A. and several of the national circuits. When this committee has completed its plan of action an outside law firm will be retained to prosecute the plan.

Vlasek Now June Long

Hollywood, Aug. 3.—Fox has changed the screen name of June Vlasek to June Long. The actress has been on the contract roster for nearly three years and is now doing a featured role in "Music in the Air."

Sutherland Re-Signed

Hollywood, Aug. 3.—Eddie Sutherland has received a new contract from Paramount. His first assignment is the directorial job on "Mississippi," featuring W. C. Fields, Lanny Ross and Evalyn Venable.

Kuykendall in N.O. Talk

New Orleans, Aug. 3.—Ed Kuykendall, M. P. T. O. A. head, has informed the Gulf States Theatre Owners' Ass'n he will be here Monday to address city and state theatremen.

RKO Men Visit Levy

Walter Branson, mid-west district manager, and Charles C. Cohen, western district head for RKO, are in town for conferences with Jules Levy.

Hollywood Personals

Hollywood, Aug. 3.—C. Henry Gordon is having a siege at the Hollywood Hospital for a minor operation. . . . Loretta Young ditto at a different medical establishment. . . . Fay Chaldecott gets the featured role of "Little Emily" in "David Copperfield" at M-G-M. . . . Charley Bullock, popular still department head of United Artists, is going into his ninth year with that organization, having photographed nearly every important star in Hollywood. . . . Director Alfred Santell found a spot to buy electric ice boxes for 50 per cent off and he bought one. . . . M-G-M has completed one of the two big ships they're using in "Mutiny on the Bounty." . . . Una O'Connor has decided not to return to England and has taken a shack at Malibu. . . . Clark Gable and the missus are back from a cruise on the Pacific.

Plagiarism Charged In "Riptide" Scenes

A suit alleging infringement by M-G-M's "Riptide" of a play entitled "The Penalty of Sex" was filed in U. S. District Court here yesterday by Angel A. Aphenson, playwright. The suit asks an injunction against "Riptide" and the usual accounting of profits.

Miss Aphenson alleges in her complaint that her play was submitted to George De Feo, play broker, in September, 1932, for the purpose of having it presented to M-G-M. She asserts that she was later offered $5,000 and a percentage of profits for the use of certain scenes and situations in the play and that she accepted, but was unable to obtain a written contract.

Defendants named in the suit in addition to M-G-M are Norma Shearer, Irving Thalberg, Edmund Goulding, Jules E. Brulatour and De Feo.

Take Two Ohio Houses

Marion, O., Aug. 3.—Midhio Theatres, Inc., has taken long term leases on the Palace and Marion from Theatrical Managers, Inc., of Indianapolis. The company has just been organized.

Tracy Barham, formerly film buyer for Warners in the upper New York territory, is field manager of the new organization, in which it is reported he will acquire an interest. Barham was associated with Publix home office until decentralization, and later had four Publix houses in Minnesota before joining Warners.

Ostrow Starts "Secrets"

Hollywood, Aug. 3.—Lou Ostrow has started "Secrets of the Chateau," formerly titled "Rendevouz at Midnight." The latter title was juggled around and finally fastened as the definite release title on "Silver Fox," a yarn now in preparation.

"U" Signs McKinney

Hollywood, Aug. 3.—Universal has signed Florine McKinney, former M-G-M actress, to a long term contract. Her first assignment will be the feminine lead in the Thorne Smith yarn, "Night Life of the Gods," which goes into work in a week.

Roach Plans Expansion

Hollywood, Aug. 3.—Figuring that dual bill bans will spread, Hal Roach says he expects to spend $100,000 on studio enlargement and increases in his staff.

Phila.'s Taprooms Must Pay Show Tax

Philadelphia, Aug. 3.—In a city-wide move to meet the competition from shows staged in taprooms and beer gardens, the Independent Theatre Owners' Protective Ass'n. has induced city authorities to demand $500 entertainment license fees from each of these spots. This is the same fee that theatres and cabarets pay.

Notice has been sent to the beer parlors that the license fee must be paid next week, or their shows must be dropped, members of the association were informed at their meeting yesterday in the new headquarters at 1313 Vine St.

Oscar Neufeldt was named as business manager and Miss Jay Willensky was appointed secretary.

The association has voted to send delegates to the Allied convention at Atlantic City late this month.

"Treasure" Openings Set

"Treasure Island" will open simultaneously at Loew's State, Boston, and the Century, Baltimore, Aug. 10. William R. Ferguson, exploitation director for M-G-M, returned yesterday afternoon from Boston after putting on an extensive campaign and in the evening left for Baltimore for another tieup splurge. He returns Monday.

The company plans campaigns on all openings.

McGrail Goes to Coast

John McGrail, who has been assisting J. J. McCarthy on advertising at the Hays office, has been transferred to the coast office. He leaves for Hollywood today. Joel Swensen succeeds McGrail in New York.

"Sailors" Gets $23,200

"She Learned About Sailors" garnered $23,200 at the Roxy last week, considered unusual in face of a lethargic week at other Broadway box-offices.

Hold "Cavalcade" Again

"Cavalcade" is being held a third week at the Criterion at popular prices. The second week ends tomorrow.

Goldberg Quits Columbia

Lou Goldberg, director of exploitation for Columbia, has resigned, effective Aug. 10. No successor has been named.

FWC Signs Para. Deal

Fox West Coast has signed for the entire Paramount lineup.

Boston Dull; "Eyre" Good With $15,000

Boston, Aug. 3.—Grosses fared a little better than last week, when the season's low was reached. There were small gains at most of the first runs, although Metropolitan failed to do as well as a week ago. Grosses are still well below the average.

"Jane Eyre" at Loew's State fared the best of the features, but the film was $1,000 below average. "The Notorious Sophie Lang" was $2,000 below average at Metropolitan while both RKO houses were some $1,500 and $2,000 below the usual mark.

With the breaking of the backbone of the long period of hot weather and a few occasional showers to keep folks indoors, better business is anticipated.

Totals for the first run houses were $85,000. Average is $94,000.

Estimated takings for the week ending Aug. 2:

"BACHELOR BAIT" (Radio)
"BLACK MOON" (Col.)
BOSTON—(2,900), 25c-50c, 7 days. **Gross:** $14,500. (Average, $16,000.)

"PERSONALITY KID" (Warners)
"ELMER & ELSIE" (Para.)
FENWAY—(1,800), 30c-50c, 7 days. **Gross:** $7,500. (Average, $9,000.)

"GRAND CANARY" (Fox)
KEITH'S—(3,500), 30c-50c, 7 days. **Gross:** $14,000. (Average, $16,000.)

"JANE EYRE" (Monogram)
LOEW'S STATE—(3,700), 35c-50c, 7 days. **Gross:** $15,000. (Average, $16,000.)

"THE NOTORIOUS SOPHIE LANG" (Para.)
METROPOLITAN—(4,350), 30c-65c, 7 days. Buster Shaver and Revue. **Gross:** $26,000. (Average, $28,000.)

"PERSONALITY KID" (Warners)
"ELMER & ELSIE" (Para.)
PARAMOUNT—(1,800), 30c-50c, 7 days. **Gross:** $8,000. (Average, $9,000.)

End of Heat Stirs Cincinnati Grosses

Cincinnati, Aug. 3.—Concurrently with the break in the record heat wave, business at most of the downtown houses took a sudden spurt.

"Handy Andy" at the RKO Palace led the parade with an estimated $15,500, which is nothing to be sneezed at even in the regular season. Keith's registered approximately $8,000 with "Here Comes the Navy," and the RKO Lyric did around $6,300 with "His Greatest Gamble," both being the best grosses in months. Other houses did proportionately well.

Hecht-MacArthur Set

Ben Hecht and Charles MacArthur have finished the script of their second production for Paramount and will place it before the cameras at the Eastern Service Studios in Astoria in two weeks. The film will have the Russian revolution as its background and Jimmy Savo in the top spot. MacArthur left for the coast by plane last night on a brief visit to his wife, Helen Hayes. He will be back in town Monday.

Jack Connolly to Sail

Jack Connolly, general sales manager of Pathe News, leaves for Europe on the *Champlain* today. His mission will be to extend the news gathering facilities of the newsreel in European capitals.

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of the
Motion
Picture
Industry

MOTION PICTURE DAILY

Alert,
Intelligent
and
Faithful
Service to
the Industry
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Branches

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RKO Receiver Bills Pruned To $105,000

Fees Mcre Than Halved By Judge Bondy

The petition for $225,000 interim allowances filed by Irving Trust Co. and Donovan, Leisure, Newton & Lumbard for services in the RKO receivership were more than halved by Federal Judge William Bondy in entering a final order on the petition Saturday.

The total fees allowed by the court aggregate $105,000. Irving Trust, receiver for RKO, had asked for $100,000 and was allowed $35,000. The Donovan firm, attorneys for the receiver, petitioned $125,000 and was allowed $70,000.

The fees are for partial allowances

(*Continued on page* 6)

G-B Conference on Roxy Is Initiated

First of a series of conferences between Gaumont British and interests affiliated with the Roxy whereby the former would acquire the house as its Broadway showwindow was held over the week-end. Jeffrey Bernerd spent yesterday with two men interested in the theatre at Howard S. Cullman's home in Purchase, N. Y.

If and when G-B acquires the house. it is not planned to limit the showing to British product.

Asked whether S. L. (Roxy) Rothafel would be connected with G-B in any way, Bernerd stated "definitely no."

Auten-B. I. P. Suit Is Ended Amicably

Before sailing for England Saturday on the *Champlain* for a six weeks' vacation-business trip, Harold Auten stated he had withdrawn his suit against British International Pictures for "services rendered" and he is on friendly terms with the company again.

Negotiations for settlement were handled directly by Auten and John Maxwell, the latter head of the English company.

Spokane Amusement Report Returns Up

Spokane. Aug. 5.—Localities spent more for entertainment during the first half of '34 than they did in a similar

(*Continued on page* 3)

Gaumont May Produce in U. S., Too, Says Bernerd

Plans are under consideration by Gaumont British to produce in America, following invasion into the exchange field, Jeffrey Bernerd, managing director, stated Saturday. Part of the British production force will be brought over for the venture, he said.

First in his mind at present is the development of a Gaumont-British exchange system in every key city. He said the company will have 100 per cent distribution here and that the initial moves will get under way the latter part of the month. The entire sales force is expected to be lined up by Sept. 15.

No franchise deals will be considered, Bernerd stated. "We will have our own exchanges operated by

(*Continued on page* 6)

Cancellation Rows Fail to Reach Boards

Despite numerous complaints by exhibitors that exchanges in at least five key cities have refused to authorize cancellations on moral grounds of pictures released prior to July 15, in accordance with the recent order of large distributing companies, no such complaints have been brought before local grievance boards in any of the cities in which the complaints have been most numerous, it was determined over the week-end.

The complaints of refusals to cancel on moral grounds have originated

(*Continued on page* 3)

Philadelphia Board Bans Park Showings

Philadelphia, Aug. 5.—The grievance board has extended its recent non-theatrical ruling with a prohibition to distributors against serving amusement parks which give free film showings.

The situation is not acute in Philadelphia proper, but is fairly widespread in up-state districts.

The case of Harry Freed vs. Stanley-Warner on the charge of illegally negotiating a lease for the Seville. Bryn Mawr, has been withdrawn by B. M. Golder, attorney for the plaintiff.

Kansas Employment Gains 4.2% in June

Topeka. Aug. 5.—Employment in Kansas gained 4.2 per cent in June over May, while payroll totals were up 1.7 per cent. according to a report by the state labor commissioner. A large part of the increase was due to seasonal employment of farm labor.

Indie Houses Fortified for Circuit Fight

Independents in Greater New York are no longer on the defensive in the campaign by Loew's and RKO for additional theatres. The first gun to pop is the merger between Springer & Cocalis and Consolidated, the former having 36 units and the latter 14.

Both RKO and Loew's have had negotiations with the two independent circuits for acquisition of two to five houses. The deals never got further than preliminary stages.

With uniting of the two largest unaffiliated circuits in Manhattan. the

(*Continued on page* 2)

Portland Dog Races Hard Blow to Films

Portland. Aug. 5.—The big reason for slump in box-office receipts, especially at the first runs is the dog races. The betting public passed a total of $1,128.019 in wagers through the wickets of the pari mutuel cages here during the first 30 days of this season's dog racing meet.

From the take the state received $28.200 on the basis of a two and one-half per cent "cut" of total wagers. In addition the state gets $18.000 from the kennel club for a 60-day license and $410 from the owners and retainers in license fees.

Racing a Headache For R. I. Theatres

Providence, Aug. 5.—Rhode Island exhibitors have another headache.

Sweltering weather has sent thousands of potential movie fans to the beaches during the past few weeks and now comes the opening of the

(*Continued on page* 2)

New Fox Met Bid Is Seen Possibility

Kahn, Attorney, May Put In $3,000,000 Offer

New outside bidders for Fox Metropolitan Playhouses who are prepared to offer $3,000,000 for the circuit may be brought into the Fox Met reorganization proceedings today as a result of the withdrawal last Friday of the Loew-Warner bid of $4,500,000. it was disclosed over the week-end by David W. Kahn, downtown attorney identified with foreclosure actions.

Kahn has been identified with the Fox Met situation since reorganization plans were first broached last spring. He has been variously reported as representing Walter Reade and Frank V. Storrs or Joseph Plunkett but has guarded the identity of his clients closely while advising Judge Julian W. Mack, presiding justice in Fox Met

(*Continued on page* 2)

Yates Wants Indie Exchanges Merged

Negotiations are under way between H. J. Yates, president of Consolidated Film; Budd Rogers, general sales manager of Liberty; and Burt Kelly of Select Pictures, to consolidate exchanges throughout the country handling Consolidated financed product.

It is understood Yates has had this plan in mind for some time and is now

(*Continued on page* 2)

Kansas Men Oppose Fight on Blue Law

Topeka, Aug. 5.—Majority sentiment among Kansas exhibitors is reported as against taking any concerted action to repeal the state's blue law prohibiting Sunday shows. The consensus is that recent referendums in several communities favoring Sunday showings are an indication of growing liberal public sentiment in the state and that in a few years Kansas, through this method, will be a seven-day state regardless of the statutes.

Buffalo Legion Has 82 Approved Films

Buffalo, Aug. 5.—A list of 82 approved films has been issued by Dr. Edward S. Schwegler, director of the Catholic Legion of Decency movement in the diocese of Buffalo. Pictures are graded according to family or ma-

(*Continued on page* 3)

MOTION PICTURE DAILY

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Mayhall Joins Alvin

PITTSBURGH, Aug. 5.—Jerry Mayhall, former producer at the Stanley, has been appointed musical director for the Alvin, which reopens shortly under the management of the Harris Amusement Co. George Tyson, until recently with the Skouras interests in St. Louis, will manage the house.

Nat Holt on Vacation

CLEVELAND, Aug. 5.—Nat Holt, RKO theatre division manager, and Mrs. Holt, accompanied by Frank Drew, M-G-M branch manager, and Mrs. Drew are on a two-week vacation in Atlantic City.

Girl Born to Dempseys

Jack and Mrs. Dempsey, the former Hannah Williams, became the parents of a girl Saturday morning at the Polyclinic Hospital. Jacqueline will be the name of the new arrival. Both mother and daughter are doing well.

Set Fairbanks Opening

LONDON, Aug. 5.—"The Private Life of Don Juan," Douglas Fairbanks' starring vehicle for London Films, will be given a premiere at the Pavilion on Aug. 31.

Gilliam Variety Manager

CLEVELAND, Aug. 5.—George Gilliam, former manager of the Stillman, has been named manager of the Variety Club.

New Fox Met Bid Is Seen Possibility

(*Continued from page 1*)

affairs, of the likelihood of his eventually filing a competitive bid for the circuit.

Kahn denied on Saturday that the new bid he was preparing was on behalf of Reade and Storrs, and also denied that Plunkett was represented in the group now contemplating a $3,000,000 bid.

"Plunkett was included in a group interested in making a bid for Fox Met at one time," Kahn said, "but the bidders I now represent are entirely new to the proceedings."

Reached at his Connecticut home over the week-end, Plunkett verified the statement that Kahn no longer represented him. Plunkett declined to comment on whether the withdrawal of the Loew-Warner bid would again bring him or associates of his into the Fox Met picture with a new bid.

Independent Warner Bid Unlikely

Also held as a possibility, though considered unlikely, is an independent bid for the circuit by Warners, who were prepared to participate in the $4,500,000 joint bid with Loew's up to $900,000. Under this bid, Warners were to acquire only the Fox Met holdings in New Jersey, 18 leaseholds in all. The Brooklyn, Long Island, Manhattan and up-state holdings, totaling 65, were to go to Loew's.

Warners were originally interested in making a bid of their own for the entire Fox Met holdings and a spirited bidding tussle between that company and Loew's was foreseen at the time. A maneuver by A. C. Blumenthal, broker, brought the two companies together, however, and resulted in a joint bid. With the withdrawal of Loew's from the bidding Friday, Warners, too, were automatically eliminated, insofar as the bid then under consideration by the Fox Met bondholders' committee was concerned. It is known, however, that Warners were reluctant to terminate the negotiations at the time, which gives rise to the belief that the company may re-enter the Fox Met situation, possibly at the meeting scheduled for today before Judge Mack, with a new bid of its own.

Since Warners' original intention of bidding alone for the circuit, however, product deals have been closed that make it virtually impossible for Warners to supply Fox Met with pictures, should that circuit come under Warner operation. Thus the product situation alone makes it highly improbable that Warners will make any serious effort to acquire the circuit. Even Warners' own product would not be available for the Fox Met houses under Warner operation, as Loew's has signed for half and RKO for half. Loew's and RKO are also splitting Paramount. In addition, Loew's has M-G-M, Columbia, Universal and United Artists, while RKO has Radio. Loew's, likewise, is reported to have virtually closed for Fox.

Steps If Bid Unaccepted

If Kahn's contemplated $3,000,000 bid is not entertained by the Fox Met bondholders' committee, indications are that the circuit will proceed to reorganize either under the committee's own plan, which provides for continuation of operations by Skouras and Randforce, or under the new bankruptcy laws, as already petitioned by minority Fox Met bondholders. The circuit has until Thursday to reply to this petition.

Fox Met bonds again sold off in trading as a result of withdrawal of the Loew-Warner bid, closing at $30 on Saturday. The previous close was $33, a drop of nine points from Wednesday's close, which occurred when reports were first circulated that the Loew-Warner bid would be withdrawn. Reports of the impending withdrawal of the bid were published exclusively in MOTION PICTURE DAILY of Thursday.

The official reason given by Loew's for the withdrawal of the bid was that a decision had been reached that acquisition of Fox Met would be an unprofitable investment. Unofficially, it is reported the withdrawal was due to legal complications developed by minority bondholders in Fox Met which are said to have clouded title to the circuit's assets pending decision on the possibly long-drawn-out legal moves and to possible anti-trust law aspects of the theatre acquisition, which have been emphasized by continuous observation of the Loew-Warner negotiations by the Department of Justice.

Issues on Big Board Recede

	High	Low	Close	Net Change	Sales
Eastman Kodak	98½	97¾	97¾	— ½	100
Fox Film "A"	10¼	10	10	— ¼	100
Loew's, Inc.	24⅞	24¼	24½	— ¾	3,200
Paramount Publix, cts.	3⅛	3	3⅛	— ⅛	400
Pathe Exchange	1⅜	1¼	1⅜	.....	200
Pathe Exchange "A"	14	14	14	— ½	400
RKO	2	2	2	.....	100
Warner Bros.	3⅞	3¾	3¾	— ⅛	300

Technicolor Off ¾ on Curb

	High	Low	Close	Net Change	Sales
Technicolor	11⅞	11½	11¾	— ¾	400
Trans Lux	1¾	1¾	1¾	.....	100

Para. Publix Bonds Decline 1¾ Points

	High	Low	Close	Net Change	Sales
General Theatre Equipment 6s '40	6½	6½	6½	.....	1
Loew's 6s '41, ww deb rights	100¼	100¼	100¼	.....	1
Paramount Broadway 5½s '51	38¼	38	38	+ ½	7
Paramount Publix 5½s '50	41½	41	41	—1¾	6
Pathe 7s '37 ww	95½	95½	95½	—1	1
Warner Bros. 6s '39, wd	54	53½	53½	—1¼	2

Indie Houses Fortified for Circuit Fight

(*Continued from page 1*)

opening gun to demand better playing time on next season's product has been exploded. Benefiting by the deal is Consolidated, which during the past year has been taking it on the chin on bookings in Loew and RKO situations. C. & S., with its buying strength, has been able to demand and get concessions which now will be afforded Consolidated.

It is also possible Skouras may join the pool with his Manhattan houses. George Skouras last year was tied up with RKO in a booking arrangement which expired Aug. 1. He is a friend of Sam Cocalis and is understood to have had preliminary talks on the pool.

Meanwhile Loew's and RKO are not letting down on new acquisitions despite withdrawal of the former from the Fox Metropolitan bid. RKO has taken about 10 houses from independents and Loew has deals on for several theatres bordering RKO domain. The deals are expected to be set this week.

Yates Wants Indie Exchanges Merged

(*Continued from page 1*)

crystallizing it with product to be financed next season. Other independent exchanges also are expected to be brought into the deal later.

A number of independent producers being financed by Consolidated have franchises with exchanges which have some time to run. These exchanges are expected to be brought into the plan upon expiration of contracts.

Racing a Headache For R. I. Theatres

(*Continued from page 1*)

Narragansett race track in Pawtucket which has lured unprecedented crowds since Aug. 1.

Racing will continue through August, lay off in September and resume in October for another month. Movie men, however, hope to catch some night business even if the matinees are heartbreaking.

Nathanson to England

TORONTO, Aug. 5.—N. L. Nathanson, head of Famous Players Canadian, is on his way to England to look over new season product. J. J. Fitzgibbons, director of theatres, and Ben Geldsaeler, both of the head office of Famous Players, are on a tour of exchanges.

Earnings of the company for the period ending with the close of August are reported to be well over all bond charges.

Centralia Ushers Strike

CENTRALIA, Ill., Aug. 5.—In an effort to force recognition of the Ushers' and Ticket Sellers' Union here, ushers and ticket sellers of local houses have gone on strike.

Cancellation Rows Fail to Reach Boards

(Continued from page 1)

with greatest frequency in Milwaukee, Boston, Kansas City, St. Louis and Atlanta. MOTION PICTURE DAILY correspondents ascertained from grievance boards in each of those cities that no instance of an exhibitor bringing his cancellation before the boards to determine the validity of his complaint is known to date.

In the instructions despatched to exchanges by home office distribution departments at the time the moral cancellation ruling was inaugurated, it is made clear that any picture released prior to July 15 to which there has been made "a bona fide public protest in good faith and on moral grounds" may be cancelled. The exchange manager is expected to determine the validity of the moral objections to the pictures for which cancellation is sought by the exhibitor and he is directed to refuse authorization to cancel only in the event he is not convinced that the moral objections to the picture cited by the exhibitor are "bona fide." In that case the home office instructions provide that the exhibitor may then submit his claim for cancellation to his local grievance board.

Must Decide Release Date

The local board, sitting as an arbitration body, needs to decide only whether the picture in question was released prior to July 15; whether a publicly announced general protest on moral grounds has been made against the picture and whether such protest is genuine and was made in good faith. If these three considerations have been determined affirmatively by a grievance board, the exhibitor's right to cancel is unquestioned. If an exchange then refuses to permit the cancellation, there is a clear violation of the intent of the distributors' July 15 agreement and the exhibitor's complaint is a valid one.

An effort to obtain specific information concerning the exchanges complained against and the pictures involved in the case, together with the name of the complaining exhibitor, has been made by MOTION PICTURE DAILY correspondents in the cities named without success.

PITTSBURGH, Aug. 5.—Local exchanges express surprise over the small number of requests for cancellations on moral grounds received to date. Typical is the record of the RKO exchange here which reports only two cancellation requests since July 15. One was for "The Life of Vergie Winters" and the other for "Of Human Bondage."

Shea Ballet to Quit

BUFFALO, Aug. 5.—After 15 months in Shea's Buffalo theatre, David Bines is breaking up his ballet, known as the Shea Buffaloettes. At least 12 of the girls will go into Nikita Bailieff's revived "Chauve Souris," which starts a tour of picture houses in New York Aug. 17. The remainder of the Buffaloettes will form the nucleus for a new line in Shea's Buffalo.

Hollywood Personals

Hollywood, Aug. 5.—Roger Imhof and Sarah Haden latest additions to Fox's "Music in the Air," featuring Gloria Swanson, John Boles, Reginald Owen and other top line players. . . . Raoul Walsh back from New York. . . . Warner Oland offers reward for lost hat. . . . Grace Moore celebrated third wedding anniversary at Yosemite and back here with fresh coat of tan. . . . In contrast to this Alison Skipworth celebrated her 58th birthday working at Columbia. . . . Elsa Buchanan secured an important role in Fox's "Charlie Chan in London" over several others because she could be frightened easily and hold it for the cameras. . . . Laurel and Hardy fishing off Catalina coast line for big game fish with tutors to show them how it's done. . . . Franklin Pangborn back at Universal for a spot in "Imitation of Life."

Buffalo Legion Has 82 Approved Films

(Continued from page 1)

ture audience suitability, and 16 are accorded "excellent" rating. The list is based on reviews issued by the International Federation of Catholic Alumnae. Dr. Schwegler stressed the fact that it is not an "official list" of the Catholic church. No blacklist is being published here.

Rev. Alfred J. Barrett, S.J., who, as moderator of the Sodality Union in Western New York, started the Catholic drive here, has been transferred from Canisius College to Woodstock College, Baltimore.

Pledges 35,980 in Indianapolis Area

TERRE HAUTE, Ind., Aug. 5.—In the Indianapolis diocese, comprising the central southern portion of the state, 35,980 adults have signed the Legion of Decency pledge. These figures do not include children of school age, who are estimated at 15,000 and who are expected to sign after opening of school in September.

Letters explaining the legion purposes have been sent by Bishop Ritter to every theatre manager in the diocese.

Spokane Amusement Report Returns Up

(Continued from page 1)

period of 1933. The Fox, Orpheum and State furnished amusement to 21 per cent more people. During June, the books showed a six per cent improvement.

Splendid monetary returns are reported by the growers of grain and other produce from increased acreage and returns from both silver and gold mining properties located in the famous Coeur D'Alene mining belt have been good.

New House for Wauchula

WAUCHULA, Fla., Aug. 5.—A new theatre is being built here by Walter C. House of Punta Gorda. It is expected to seat 450 and will be ready within 90 days. The Royal, operated by George Stonaras, is the only other house here.

Buffalo Product Is Set

BUFFALO, Aug. 5.—Buffalo Theatres, Inc., is virtually set on product for next season. Vincent R. McFaul, president, says he will have Paramount, M-G-M, Warners and First National, United Artists and Fox.

Plan 350 Day, Date Openings on Brown

Approximately 350 simultaneous release dates during the week of Oct. 7 are being set by Warners on the new Joe E. Brown picture, "Six-Day Bike Rider," to capitalize on national exploitation campaign from Sept. 23 to Oct. 31.

The campaign involves the use of 20 leading magazines, and the *American Weekly* and *Metropolitan Weekly* in a $130,000 advertising campaign, together with the distribution of $50,000 worth of bicycles in a national tieup with the Quaker Oats Co. Joe E. Brown will award the prizes to winners and every entrant in the contest will be made a member of the star's bicycle club.

Both Quaker Oats and Warners will send exploitation men on the road to coordinate the campaign between stores and theatres. Bicycle displays will be made available for theatre lobbies and trailers and broadsides will be prepared for the campaign. S. Charles Einfeld, Warner advertising head, engineered the tieups.

Coury to Montgomery

MONTGOMERY, Ala., Aug. 5.—W. J. Coury is the newly appointed manager of the Strand. He comes to Montgomery from the Lyric in Birmingham, where he has been for the past year. Coury has been with R. B. Wilby Theatres for a number of years.

Milwaukee Palace Dark

MILWAUKEE, Aug. 5.—The Palace, 2,800-seat first run, has gone dark for an indefinite period. The theatre has been operated for the past year by Leo Salkin and reports have it that Skouras Bros. will reopen the house about Sept. 1.

Buy Two Iowa Houses

OMAHA, Aug. 5.—Marschoene Theatres, Inc., of Wayne, Neb., has purchased the Royal and Elite at Le Mars, Iowa, from Mrs. D. C. Scott, widow of the late owner. Marschoene already controls theatres at Hawarden, Iowa, Vermilion, S. D., as well as at Wayne.

Hold Up Three Films

HOLLYWOOD, Aug. 5.—With more than three pictures ready to go before the cameras, "The White Parade Hell," "The Heavens" and "Man Lock" are being held up pending negotiations between producers for feminine players. Those originally slated for parts are unavailable.

K.C. Decision On Bank Night Goes to Campi

KANSAS CITY, Aug. 5.—Eleven alleged errors in the grievance board decision in the recent bank night case are cited by Emmett Thurmon of Denver, counsel for E. S. Young, the respondent exhibitor, in an appeal brief filed with Campi.

They pertain chiefly to the board's ruling that the plan is a lottery and code violation and to the finding that Young's house, the Roanoke, is in competition with the theatre of the complainant, Mrs. A. Baier.

The grievance board had "no authority or power to prevent or restrain or exercise any of the terms or provisions of the theatre code pertaining to the matters involved in this case" until 75 per cent of the exhibitors in this area declared in writing "against the things mentioned in the cause of action," it is contended in the brief. Also, it is charged the board erred in ruling out bank nights because the aforementioned vote had not been taken up to the time of the hearing.

That vote, incidentally, was certified to the board five days after it handed down the bank night decision.

"The question of what is and what is not a lottery is a question that has been adjudicated by the courts in numerous decisions," according to the appeal brief. "Furthermore, attorneys general have ruled in many cases that bank night is not a lottery when operated according to contract. The question is a legal one which can be settled only by the courts and not by a grievance board under the motion picture code."

The appeal brief asks Campi to reverse the local board's decision, to declare it void and to direct the board to refrain from enforcing the decision.

"Tango" Ball Hits K. C.

KANSAS CITY, Aug. 5.—Added to kitten ball, night baseball, band concerts, amusement parks and other bids for the public's money and attention, local exhibitors have a new form of competition in "tango" and skill ball parlors, which are moving east from the west coast. Four elaborate "tango" establishments have opened here. Exhibitors in California found them strong competition. While taking its name from the dance, the game is said to be similar to keno.

Brient C. of C. Officer

RICHMOND, Va., Aug. 5.—Elmer H. Brient, manager of Loew's, has been elected a member of the board of directors of the Chamber of Commerce. He is also serving as chairman of a sub-committee of the NRA educational committee here in arranging radio programs designed to tell the story of NRA work.

'Wanted' Now 'Pursued'

HOLLYWOOD, Aug. 5.—Fox has set "Pursued" as the definite release title on "Wanted." The picture co-features Rosemary Ames and Victor Jory.

GIFT

●

UNIVERSAL'S MARVELOUS 30-STAR-SPANGLED MELODY-DRAMA SENSATION!

●

Stars of screen, stage, radio, all wrapped up in a big bundle of STORY and SONG and spilled on the screen in great gobs of ENTERTAINMENT!

# of GAB

The Smartest Show On The Screen!

- ★ **EDMUND LOWE**
- ★ **GLORIA STUART**
- ★ **PAUL LUKAS**
- ★ **CHESTER MORRIS**
- ★ **BINNIE BARNES**
- ★ **KARLOFF**
- ★ **GRAHAM McNAMEE**
- ★ **ALICE WHITE**
- ★ **VICTOR MOORE**
- ★ **HUGH O'CONNELL**
- ★ **STERLING HOLLOWAY**
- ★ **DOWNEY SISTERS**
- ★ **DOUGLAS FOWLEY**
- ★ **HELEN VINSON**
- ★ **ALEXANDER WOOLLCOTT**
- ★ **RUTH ETTING**
- ★ **PHIL BAKER**
- ★ **ETHEL WATERS**
- ★ **DOUGLASS MONTGOMERY**
- ★ **ROGER PRYOR**
- ★ **GENE AUSTIN**
- ★ **BELA LUGOSI**
- ★ **JUNE KNIGHT**
- ★ **ANDY DEVINE**
- ★ **GUS ARNHEIM'S ORCHESTRA**
- ★ **HENRY ARMETTA**
- ★ **BEAL STREET BOYS**
- ★ **WINI SHAW**
- ★ **CANDY AND COCO**
- ★ **SURPRISE PERSONALITY**

Story by Jerry Wald and Phil Epstein. Screenplay by Rian James. Produced by Carl Laemmle, Jr. Directed by Karl Freund. Presented by CARL LAEMMLE.

IT'S MUSICOLOSSAL!

RKO Receiver Bills Pruned To $105,000

(*Continued from page 1*)

only, covering the period from Jan. 27, 1933, to June 1, 1934.

Allowances for the approximately three months of equity receivership of Paramount Publix, preceding the company's bankruptcy, were recently authorized by the Federal court in the same aggregate amount of $105,000. This total represented about one-third of the aggregate amount originally petitioned by the Paramount receivers, their attorneys and ancillary receivers, the original bill being for approximately $296,000, which was later reduced to $208,000 by a referee in bankruptcy, and, finally, to $105,000 by the court.

"Handy Andy" Wow In Omaha, $10,500

Omaha, Aug. 5.—"Handy Andy," on dual bill with "The Witching Hour," ran away with the big business here last week, getting $10,500, up by $3,000, at the Orpheum.

In spite of the heat "Whom the Gods Destroy" and "Bachelor Bait" were also above the line at $4,500 in the Brandeis.

Total first run business was $19,000. Average is $15,500.

Estimated takings for the week ending Aug. 2:

"STAMBOUL QUEST" (M-G-M)
WORLD—(2,200), 25c-35c, 8 days. Eight second run pictures included on program with daily change. **Gross:** $4,000. (Average, $4,000)

"WHOM THE GODS DESTROY" (Col.)
"BACHELOR BAIT" (Radio)
BRANDEIS—(1,500), 20c-25c-35c, 7 days. **Gross:** $4,500. (Average, $4,000)

"HANDY ANDY" (Fox)
"THE WITCHING HOUR" (Para.)
ORPHEUM — (3,000), 25c-40c, 7 days. **Gross:** $10,500. (Average, $7,500)

Charter Three Concerns

Albany, Aug. 5.—One new film company and two theatre companies have just been chartered. The film company is Latin Artists' Pictures Corp., capitalized for $20,000 by Rita L. Kiley, Lester Shoenthal and Naomi Barr.

The theatre units are: Bison Theatres Corp., capitalized for $25,000 and incorporated by E. Paul Phillips, M. F. Gowthorpe, J. D. Van Wagoner and Joseph T. Courtney; Kings Leasing Corp., incorporated by A. J. Hendel, Harry H. Pimstein and R. P. Myers.

Picks Powell-Loy Film

Hollywood, Aug. 5.—M-G-M has set "Evelyn Prentice," the W. E. Woodward novel, as the next vehicle for William Powell and Myrna Loy. William K. Howard is slated to direct.

More Ohio Free Shows

Akron, Aug. 5. — Merchants of Doylestown, near here, have started free film shows Tuesday nights. Free merchants shows are being given in other nearby communities.

Gaumont May Produce in U. S., Too, Says Bernerd

(*Continued from page 1*)

Americans only," he asserted. He has received inquiries for jobs from more than 100 men.

"Gaumont British will proceed in a small and quiet way and try to gain the confidence of American exhibitors," he said. "Announcements will be made from time to time in the trade press of our activities," he added.

In addition to pictures brought over with him, Bernerd says the company will have on next season's schedule "Even Song" with Evelyn Laye, another Jan Kiepura film, "Evergreen," "Forbidden Territory," "Pickwick," Konrad Veidt in "King of the Damned" with Lothar Mendes directing, "Rhodes," based on the life of Cecil Rhodes, "Mary, King of Scots," "The Tunnel" and "Camels Are Coming," with Jack Hulbert.

"We want the biggest American stars for our pictures," Bernerd stated. William O'Brien, British theatrical agent now on the coast, has been commissioned by the company to sign two stars. George Arliss will make three for the company.

Bernerd plans to put American stars in about nine pictures. With the American players will be English performers, who will be exploited to audiences here for future picture values.

Discussing the clean film campaign, the G-B managing director stated that the public in England is shopping when it goes to see American pictures. He said Britishers are shying clear of them and are demanding home made product.

"About 90 per cent of American pictures released abroad are flops," he said. "The public in England is getting sick and tired of what various actresses wear and what they don't wear."

"Old Way" Is Minneapolis' Hit, $7,000

Minneapolis, Aug. 5.—In spite of the strike doldrums and the presence of the National Guard, "The Old Fashioned Way," with Fred Waring and his Pennsylvanians on the stage at the State, ran up to $7,000, topping normal by $1,500.

In St. Paul "Handy Andy" was another outstanding draw, going $1,000 over par for a total of $6,500 at the Paramount. "Whom the Gods Destroy" was also strong with $4,500 at the RKO Orpheum in St. Paul. "Midnight Alibi" at the RKO Orpheum reached $6,000 and "The Key" took a par $4,000 at the Century.

Minneapolis' five theatres, usually grossing $18,500, got $20,500, while St. Paul's four, which generally get $14,000, took $16,000.

Estimated takings:

Minneapolis:

Week Ending Aug. 2:

"THE KEY" (Warners)
CENTURY—(1,000), 25c-40c, 7 days. **Gross:** $4,000. (Average, $4,000)

"THE PERSONALITY KID" (Warners)
LYRIC—(1,000), 20c-25c, 7 days. **Gross:** $1,500. (Average, $1,500)

Week Ending Aug. 3:

"MIDNIGHT ALIBI" (F. N.)
RKO ORPHEUM—(2,900), 25c-50c, 7 days. **Gross:** $6,000. (Average, $5,500)

"THE OLD FASHIONED WAY" (Para.)
STATE—(2,300), 25c-40c, 7 days. Fred Waring and his Pennsylvanians. **Gross:** $7,000. (Average, $5,500)

"THE CONSTANT NYMPH" (Fox)
WORLD—(400), 25c-75c, 7 days. **Gross:** $2,000. (Average, $2,000)

St. Paul:

Week Ending Aug. 2:

"HANDY ANDY" (Fox)
PARAMOUNT—(2,300), 25c-40c, 7 days. **Gross:** $6,500. (Average, $5,500)

"THE OLD FASHIONED WAY" (Para.)
RIVIERA — (1,200), 25c-40c, 7 days. **Gross:** $3,500. (Average, $3,500)

"WHOM THE GODS DESTROY" (Col.)
RKO ORPHEUM—(2,000), 20c-40c, 7 days. **Gross:** $4,500. (Average, $4,000)

"HERE COMES THE GROOM" (Para.)
TOWER—(1,000), 15c-25c, 7 days. **Gross:** $1,500. (Average, $1,500)

"Navy" Pulls $15,500 Take On the Loop

Chicago, Aug. 5.—For straight picture draw "Here Comes the Navy" at $15,500 in the Roosevelt was the big noise of the week. It was held over.

A combination of "Handy Andy," Max Baer and Benny Rubin sent the Chicago to $44,000, over normal by $9,400.

Total first run gross of $122,000 was up $8,000 over last week. Average is $115,600.

Estimated takings:

Week Ending July 31:

"BULLDOG DRUMMOND STRIKES BACK" (U. A.)
UNITED ARTISTS—(1,700), 25c-35c-60c, 7 days, 2nd week. **Gross:** $14,000. (Average, $17,000)

Week Ending Aug. 1:

"HERE COMES THE NAVY" (Warner)
ROOSEVELT — (1,591), 25c-35c-50c, 7 days. **Gross:** $15,500. (Average, $11,000)

Week Ending Aug. 2:

"HANDY ANDY" (Fox)
CHICAGO—(4,000), 35-50c-68c, 7 days. Stage: Max Baer and Benny Rubin. **Gross:** $44,000. (Average, $34,600)

"CHANGE OF HEART" (Fox)
ORIENTAL—(3,940), 25c-40c, 7 days. Stage: Arctic Follies Revue, Don Zalaya, Britt Wood, Duffin & Draper. **Gross:** $18,000. (Average, $15,000)

"OF HUMAN BONDAGE" (Radio)
PALACE—(2,509), 25c-35c-50c, 7 days. Stage: Johnny Hamp orchestra, Nancy McCord, Sammy White, Medley & Duprey, Six Decardos. **Gross:** $17,000. (Average, $22,000)

Week Ending Aug. 4:

"BLACK MOON" (Columbia)
STATE-LAKE — (2,776), 20c-25c-35c, 7 days. Stage: Texas Guinan's Gang and vaudeville. **Gross:** $13,500. (Average, $15,000)

Irene Hervey Has Termer

Hollywood, Aug. 5.—Irene Hervey has annexed a new term ticket from M-G-M. Her first on the new deal will be on loanout to Sol Lesser for the feminine lead in the first of the George O'Brien western series to go into work the latter part of the week.

"Handy Andy" Philadelphia Hit, $27,000

Philadelphia, Aug. 5.—"Handy Andy" gave the Fox the corking good figure of $27,000 for its first eight days. It was held over.

Rest of the town was under par, but the Fox figure pulled the weekly total out of the red for the first time in several weeks.

Total first run business was $52,300. Average is $45,100.

Estimated takings for the week ending Aug. 2:

"HERE COMES THE GROOM" (Para.)
ARCADIA—(600), 25c-40c-50c, 4 days. (2nd run). **Gross:** $900. (Average, 6 days, $2,400)

"THE OLD FASHIONED WAY" (Para.)
EARLE—(2,000), 40c-55c-65c, 6 days. Stage: Owen McGiveney, Benny Ross, Al Norman, Bickle and Gray Revue. **Gross:** $11,500. (Average, $12,000)

"HANDY ANDY" (Fox)
FOX—(3,000), 30c-40c-60c, 8 days. Stage: Jerome Mann, Demarest and Sibley, Dawn and Darrow, Marie Le Flohic. **Gross:** $27,000. (Average, 6 days, $12,000)

"JANE EYRE" (Monogram)
KARLTON—(1,000), 30c-40c-50c, 6 days. **Gross:** $2,400. (Average, $3,500)

"BULLDOG DRUMMOND STRIKES BACK" (U. A.)
STANLEY—(3,700), 40c-55c-65c, 3 days. (2nd week.) **Gross:** $4,800. (Average, 6 days, $12,000)

"NOTORIOUS SOPHIE LANG" (Para.)
STANTON—(1,700), 30c-40c-55c, 6 days. **Gross:** $5,700. (Average, $6,000)

"Andy" Is Top in Buffalo, $14,000

Buffalo, Aug. 5.—"Handy Andy," plus a strong stage show, gave the Buffalo its best week of the summer, its $14,000 take being only $300 under normal. Heavy rain broke the heat spell, at least temporarily, at the end of the week.

Total take was $30,800. Average is $35,500.

Estimated takings for the week ending Aug. 3:

"HANDY ANDY" (Fox)
BUFFALO — (3,500), 30c-55c, 7 days. Stage: Pickens Sisters, Moore & Revel, Lucille Page, Paul Sydell and Spotty. **Gross:** $14,000. (Average, $14,300)

"STRICTLY DYNAMITE" (Radio)
"THE TRUMPET BLOWS" (Para.)
CENTURY—(3,000), 25c, 7 days. **Gross:** $6,000. (Average, $6,000)

"ENLIGHTEN THY DAUGHTER" (Standard)
HOLLYWOOD—(300), 25c-35c, 7 days. **Gross:** $500. (Average, $700)

"STINGAREE" (Radio)
HIPPODROME—(2,100), 25c-40c, 7 days. **Gross:** $6,100. (Average, $8,000)

"UNCERTAIN LADY" (Univ.)
"MIDNIGHT" (Univ.)
LAFAYETTE — (3,300), 25c, 7 days. **Gross:** $4,200. (Average, $6,500)

Shift St. Louis Managers

St. Louis, Aug. 5.—William Reid, former manager of the Lafayette, has been made manager of the Pageant by Leto Hill, general manager of the St. Louis Amusement Co.; James Walker, formerly at the Pageant, has been moved to the Aubert; George Forbes goes from the Kingsland to the Lafayette; Harry Foxx goes from the Congress to the Kingsland, and Jack Hoehn of the Union has shifted to the Congress. The Union has been closed for alterations. Ed Burke, formerly at the Aubert, has been transferred to the Gravois.

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MOTION PICTURE ALMANAC

1790 Broadway New York

"Handy Andy" Denver Smash With $10,000

DENVER, Aug. 5.—"Handy Andy" demonstrated that it could overcome all kinds of competition last week. The $10,000 take at the Denver was over par by $4,000. This was in spite of the fact that thousands went to Cheyenne for the "Frontier Days" show and others went 47 miles up in the mountains for the play festival at Central City.

Only one other first run, the Orpheum, with "Stamboul Quest," reached par.

Total first run business was $21,800. Average is $16,500.

Estimated takings for the week ending Aug. 2:

"RETURN OF THE TERROR" (F. N.)
ALADDIN—(1,500), 25c-35c-50c, 7 days. **Gross:** $2,000. (Average, $2,500.)
"ELMER AND ELSIE" (Para.)
DENHAM—(1,500), 15c-25c-40c, 7 days. **Gross:** $1,800. (Average, $4,000.)
"HANDY ANDY" (Fox)
DENVER—(2,500), 25c-35c-50c, 7 days. **Gross:** $10,000. (Average, $6,000.)
"STAMBOUL QUEST" (M-G-M)
ORPHEUM—(2,600), 25c-35c-50c, 7 days. **Gross:** $6,000. (Average, $6,000.)
"HE WAS HER MAN" (Warners)
PARAMOUNT—(2,000), 25c-40c, 4 days. **Gross:** $1,200.
"LET'S TALK IT OVER" (Univ.)
"HELL CAT" (Col.)
PARAMOUNT—(2,000), 25c-40c, 3 days. **Gross:** $800. (Average for week, $2,000.)

Providence Dull; "Interlude" Leads

PROVIDENCE, Aug. 5.—Torrid weather continues to be the bane of exhibitors here. Loew's State managed to catch $10,000 with a stage and screen offering, but this figure was $2,000 under average. The picture was "Paris Interlude" and Kenneth Harlan headed the stage bill.

The Majestic was under with "She Learned About Sailors" and "Charlie Chan's Courage," catching around $4,500. The RKO Albee netted $5,000 and the Paramount $4,000.

Total first run business was $24,450. Average is $33,500.

Estimated takings for the week ending Aug. 2:

"THE NOTORIOUS SOPHIE LANG" (Para.)
PARAMOUNT—(2,300), 15c-40c, 7 days **Gross:** $4,000. (Average, $6,500)
"PARIS INTERLUDE" (M-G-M)
LOEW'S STATE—(3,800), 15c-40c, 7 days. Kenneth Harlan on stage. **Gross:** $10,000. (Average, $12,000)
"SHE LEARNED ABOUT SAILORS" (Warners)
"CHARLIE CHAN'S COURAGE" (Fox)
MAJESTIC — (2,400), 15c-40c, 7 days. **Gross:** $4,500. (Average, $7,000.
"WHOM THE GODS DESTROY" (Col.)
"BACHELOR BAIT" (Col.)
RKO ALBEE—(2,300), 15c-40c, 7 days. **Gross:** $5,000. (Average, $7,000)
"A MAN'S GAME" (Col.)
"ST. LOUIS WOMAN" (Screencraft)
RKO VICTORY—(1,600), 10c-25c, 4 days. **Gross:** $950. (Average, $1,000)

'Drummond' Big at Cincy

CINCINNATI, Aug. 5.—With grosses generally only fair last week, "Bulldog Drummond Strikes Back" hit an estimated $14,500 at the RKO Albee, which is an unusual midsummer figure, especially with the thermometer reaching an all-time high. Although not held over, the Coleman-Young opus is due for a return showing at one of the circuit's other houses.

MOTION PICTURE DAILY'S HOLLYWOOD PREVIEW

"Judge Priest"

(Fox)

HOLLYWOOD, Aug. 5.—Embellished with the color and human interest of the Irvin S. Cobb stories, "Judge Priest" is top notch entertainment. Dealing with familiar characters, the yarn has comedy, drama and romance with a patriotism-stirring climax that swept a preview audience into a burst of applause. The plot has Will Rogers fostering the romance of Tom Brown and Anita Louise and sets the situation for a dramatic court trial. Leaving the bench at Prosecutor Berton Churchill's request, Rogers, with the aid of Henry B. Walthall, a minister, comes to Brown's assistance in defending David Landau. By trickery the case is reopened and Walthall, on the stand, tells the story of a famous Virginia regiment and Landau's heroism in a lost cause. The confederate jurors go wild in delivering a not guilty verdict, which reveals that Landau is Miss Louise's father and again frustrates Rogers' political enemy.

Rogers mixes rare drama with natural humor. Walthall's recollections are sure to be sensational. Churchill is outstanding. Stepin Fetchit is better than ever in his comedy. Brown and Miss Louise are okay as the young lovers. Rochelle Hudson, Frank Melton, Roger Imhoff, Charlie Grapewin and Branda Fowler stand out in support. Dudley Nichol's and Lamar Trotti's screen play utilizes the best of the Cobb color and features. John Ford directed with skill and understanding. Running time, 80 minutes.

Seattle Dull; "Bondage" Is Fair, $6,000

SEATTLE, Aug. 5.—Not one of the first runs made par last week, but "Of Human Bondage" and "Man with Two Faces" came closer to it than any of the others.

The "Bondage" take at the Music Hall was $6,000, under the line by $500, and the Warner picture at the Music Box was good for $3,800, below normal by $200.

Total first run business was $25,600. Average is $31,000.

Estimated takings for the week ending July 31:

"BEDSIDE" (F. N.)
"BEGGARS IN ERMINE" (Mono.)
BLUE MOUSE—(950), 25c-35c, 7 days. **Gross:** $2,700. (Average, $3,500)
"OPERATOR 13" (M-G-M)
FIFTH AVENUE—(2,450), 25c-40c-55c, 7 days. **Gross:** $6,300. (Average, $7,000)
"CITY LIMITS" (Monogram)
"SWEDEN, LAND OF VIKINGS" (S. R.)
LIBERTY—(1,800), 10c-15c-25c, 7 days. **Gross:** $3,700. (Average, $4,000)
"MAN WITH TWO FACES" (Warners)
MUSIC BOX—(950), 25c-35c-50c, 7 days. **Gross:** $3,800. (Average, $4,000)
"OF HUMAN BONDAGE" (Radio)
MUSIC HALL—(2,275), 25c-40c-55c, 7 days. **Gross:** $6,000. (Average, $6,500)
"CIRCUS CLOWN" (F. N.)
PARAMOUNT—(3,050), 25c-35c, 7 days. Vaudeville headed by Harrison's Animal Circus. **Gross:** $5,100. (Average, $6,000)

Mark Greenbaum Buried

CLEVELAND, Aug. 5.—The funeral of Mark Greenbaum, 72, who died Thursday night following a heart attack, was held at his home here today. Greenbaum became an exhibitor in 1911 when he built the Dean. For many years he was associated with Fred Desberg. Ed Strong. Emanuel Mandelbaum and Joseph Laronge in the Mall and Stillman theatres which later were combined into Loew's Ohio Theatres, Inc. Four daughters and one son, Jack, survive.

"Bondage" Is Cleveland Top With $12,000

CLEVELAND, Aug. 5.—"Of Human Bondage" ran up to $12,000 here last week at the RKO Palace. This was over par by $2,000, an outstanding figure for this time of the year. It was held over.

"Here Comes the Navy," in its second week at Warners' Hippodrome. held up to a par $5,000. Other houses were off.

Total first run business was $29,200. Average is $29,000.

Estimated takings for the week ending Aug. 3:

"HERE COMES THE NAVY" (Warners)
WARNERS' HIPPODROME—(3,800), 30c-35c-44c, 7 days, 2nd week. **Gross:** $5,000. (Average, $5,000)
"OF HUMAN BONDAGE" (Radio)
RKO PALACE—(3,100), 30c-35c-44c, 7 days. **Gross:** $12,000. (Average, $10,000)
"THE OLD FASHIONED WAY" (Para.)
LOEW'S STATE—(3,400), 30c-35c-44c, 7 days. **Gross:** $9,000. (Average, $10,000)
"MURDER IN THE PRIVATE CAR" (M-G-M)
LOEW'S STILLMAN—(1,900), 20c-30c-40c, 7 days. **Gross:** $3,200. (Average, $4,000)

DeMille Talks Set For K. C., Detroit

KANSAS CITY, Aug. 5.—Cecil B. DeMille's swing around the country to discuss films will bring him here Aug. 12 to the Community Church of which Dr. Joseph Myers is associate pastor. Dr. Myers says he understands DeMille's talk will include a defense of pictures against the present church drive.

DETROIT. Aug. 5.—Cecil B. DeMille's talk here will be to an invited audience at the Fisher. Tickets are being allotted to civic, business and religious organizations by George W. Trendle.

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Legal Fight On ASCAP to Be Set Today

Emergency Committee To Handle Problem

Formation of a plan of legal action to oppose the music tax increases announced for Oct. 1 by the American Society of Composers, Authors & Publishers is expected to be developed today at a meeting of the legal committee of the national exhibitors' emergency committee which is waging the fight against the new schedules.

Indications are that the plan will closely parallel the anti-trust action filed against the A.S.C.A.P. by radio broadcasters, trial of which is scheduled for this fall in U. S. District Court here. The radio broadcasters' action seeks dissolution of the society

(*Continued on page* 3)

Broadway Grosses Continue in Slump

Broadway grosses continued in the doldrums last week, with "Here Comes the Navy" making the best comparative showing at $20,849 in the second week at the Strand.

The Capitol had a bad week with "Paris Interlude," getting only

(*Continued on page* 4)

Inter-Faith Films Meeting Postponed

The meeting scheduled for yesterday at the rectory of Holy Cross Church, at which the inter-faith committee was to formulate plans for a house-to-house campaign to distribute clean film pledges, has been indefinitely postponed, according to Father Joseph A. McCaffrey, chairman. Various sub-committees were scheduled to name their assistants, who were to do the actual canvassing, and to discuss plans for extending their campaign.

It was stated that no meeting is planned in the near future.

Salt Lake Rulings Delay Church Shows

SALT LAKE CITY, Aug. 6.—After 16 years of intermittent agitation the problem of 10-cent film shows given in the 22 ward houses of the Mormon Church has been settled by the grievance board. The ruling is that film shall be withheld until 90 days after

(*Continued on page* 3)

Favors Long Small Town Clearances

Are Needed More Than In Cities: Dubinsky

KANSAS CITY, Aug. 6.—The smaller the town, the greater should be the first run protection, according to Ed Dubinsky, head of Dubinsky Bros. theatres, in protesting clearance for St. Joseph, Mo., set up by the local clearance and zoning board.

Dubinsky makes that assertion in a comparison of schedules adopted for St. Joseph and Wichita, Kan. He points out St. Joseph has a considerably smaller population, yet clearance for first runs charging from 25 cents to 40 cents or more is similar in schedules adopted for both cities. Double feature protection is identical.

"The board did not render a fair

(*Continued on page* 3)

First Runs' Scales May Go Up in K.C.

KANSAS CITY, Aug. 6.—The prevailing 25-cent scale in all Kansas City first runs may be hiked to 40 cents by Aug. 31. It is reported one downtown first run is tentatively set to make the shift Aug. 17.

Chief speculation centers about Loew's Midland, which was the original price cutter.

Improve Seven Here With De Luxe Ready

Seven local theatres are being remodeled for immediate reopenings. The Leff-Meyers circuit completes alterations at the Belmont, which reopens tomorrow night as the De Luxe. Abe Leff also has taken the Freeman in the Bronx which will be remodeled shortly for opening next month. Others being remodeled are the Ritz, Majestic and University in the Bronx, Temple, Union City, and Peerless, Bay Ridge.

Stanley Frame Co. is doing most of the work.

Hollywood's Extra List Cut to 8,000

HOLLYWOOD, Aug. 6.—After several months of pruning, the extra list has been cut to about 8,000 selected names. These will be asked to qualify through a questionnaire now being mailed.

The questions deal mainly with whether the extras depend upon their work for a living.

DeMille Anniversary

Cecil B. DeMille will celebrate his 32nd wedding by attending the "Cleopatra" premiere at the Paramount Aug. 16. He has arranged his cross-country trip so that he will be here.

"Mrs. DeMille and I are heartily in agreement," he wired. "We have tested that day and found it a good omen for a long run."

May Set Back Jersey Duals Deal in Fall

Inauguration of a single feature policy in New Jersey may be set back from Sept. 3, the tentative date agreed upon, by independent exhibitors.

Because of the proximity of the date, exhibitors are asking for more time to rearrange bookings. Major circuits are set to drop twin features as soon as independents are ready.

Coast Production Up to 36 Features

HOLLYWOOD, Aug. 6.—Production continues to increase with a total of 36 features and seven shorts in work as compared to 34 and nine for the previous week. Many new features are promised to get under way soon. Twenty-three are in the final stages of preparation, while 42 are in the cutting rooms.

Warners continues to lead the field

(*Continued on page* 4)

Richards Is Named Permanent Trustee

NEW ORLEANS, Aug. 6.—E. V. Richards was named permanent trustee for Saenger Theatres and Saenger Realty Corp., under Section 77-B of the new bankruptcy laws, by the U. S. District Court here today.

Reorganization of the two companies under the new bankruptcy laws will

(*Continued on page* 3)

Bankruptcies Down; No Davis Successor

The decreasing number of corporate bankruptcies may eliminate the necessity of appointing a successor to the late Henry K. Davis, referee in bankruptcy, who was in charge of

(*Continued on page* 3)

Warners May Present Bid For Fox Met

Thomas Admits Prospect If Foreclosure Comes

The possibility of Warners making an independent bid for Fox Metropolitan Playhouses in the event the circuit goes through a foreclosure sale was admitted by Abel Cary Thomas, Warner general counsel, at a hearing before Federal Judge Julian W. Mack yesterday.

What form the bid will take, whether it would be for the 18 Fox Met holdings in New Jersey only, or for the entire circuit, and what amount the company is prepared to bid, was not disclosed. Under the joint Loew-Warner bid of $4,500,000 which was withdrawn last week, Warners were prepared to participate up to $900,000

(*Continued on page* 2)

Yates Denies Any New Exchange Plan

Declaring "there is absolutely no truth to the story," Herbert J. Yates, president of Consolidated Film Industries, yesterday denied MOTION PICTURE DAILY's story that independent exchanges handling Consolidated financed product would be merged in each key center.

Yates added: "I have never even thought about it."

Closing of Center Saves RKO $17,500

Closing of the RKO Center reduced the rent paid on the Radio City theatres by $17,500 for the current month, it was stated at RKO yesterday. The former monthly rent of $50,000 for

(*Continued on page* 4)

G-B Deal for Roxy Awaits Mark Ostrer

After preliminary talks between Jeffrey Bernerd and Howard S. Cullman, Gaumont British's deal for the Roxy now awaits arrival of Mark Ostrer, head of the financing company behind the British firm. A short-term option may be taken first.

Over the week-end, negotiations were resumed with the idea of having G-B's entire lineup booked into the house. MOTION PICTURE DAILY originally reported the product deal several months ago.

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Russell Spaulding Sues

Russell Spaulding, who dubbed "Maedchen in Uniform" for the American market, has filed suit in Supreme Court here against Filmchoice, Inc., American distributors of the picture, for alleged non-payment of fees in connection with his dubbing work. The action is scheduled for trial in the fall, according to Fitelson & Mayers, attorneys for Spaulding.

Allied Board Meet Off

Eastern Allied directors will not hold a meeting at the Allied convention in Atlantic City on Aug. 22-24. The session will be open to all eastern exhibitors, however. About 300 will attend.

Para. Dark Six Days

The Paramount closes Thursday for six days. It will reopen with "Cleopatra." The orchestra is being augmented to 35 pieces under the straight picture policy.

N. O. Meeting Called Off

New Orleans, Aug. 6.—Called to New York, Ed Kuykendall, M.P.T.O.A. head, has cancelled a meeting of city and state exhibitors which had been scheduled for today.

Astor May Get "Widow"

"The Merry Widow" is tentatively slated to reopen the Astor on Aug. 31.

Warners May Present Bid For Fox Met

(*Continued from page* 1)

and were to acquire the Jersey holdings only.

As any one may bid at a foreclosure sale, it is anticipated that several bids may develop if and when Fox Met goes on the block. One of these is almost certain to be a $3,000,000 offer for the circuit by David W. Kahn, attorney, on behalf of undisclosed clients. Saul E. Rogers, attorney for A. C. Blumenthal, broker, who brought Loew's and Warners together for their joint bid, attacked the bondholders' plan of reorganization which continues Skouras and Randforce as operators of Fox Met, in the course of yesterday's court hearing.

Rogers notified the court that prospective bidders whom he said he represented might be ready with a bid within two weeks. Judge Mack continued the hearing until Aug. 16 at Rogers' request.

Also Attacked by Palmer

The bondholders' reorganization plan was also attacked by Archibald Palmer, attorney for a minority group of Fox Met bondholders who have petitioned for reorganization of the circuit under the new bankruptcy laws. Palmer charged that the committee which developed the reorganization plan is "controlled by Halsey, Stuart & Co.," and asked the court to determine whether officers of the committee were owners of Fox Met bonds and, if so, whether they had acquired them in a depressed market in advance of development of the reorganization plan.

Palmer advocated operation of the reorganized Fox Met by a single company or individual, asserting that it would result in an important economy over the present dual operation by Skouras and Randforce. Judge Mack pointed out in reply that it was under single operation that Fox Met first got into its "mess" which ended in receivership and only began to show improvement when operation was turned over to Skouras and Randforce.

Palmer has been seeking to examine officers of the bondholders' committee and obtained an order last week which was later vacated by Judge Mack, authorizing him to proceed with the examination. Palmer appealed the vacating order to Judge Martin Manton of the U .S. Circuit Court of Appeals last Friday, and yesterday Judge Manton denied Palmer's petition, upholding Judge Mack in refusing to permit the examination to proceed. Palmer was instructed to make further appeal, if he so desired, when the full circuit court of three judges reconvenes in October.

Fox Met is required to file an answer Thursday to Palmer's petition for reorganization of the circuit under the new bankruptcy laws.

A.W. Smith Closes Deals

A. W. Smith, in charge of eastern and Canadian distribution for Warners, has closed deals for his company's product for the 1934-35 season with the Butterfield circuit, 31 houses in Michigan; Famous Players Canadian circuit; William Keyes, Dayton; Ike Libson, operating the Keith in Cincinnati and the Mary Anderson in Louisville, and Milton Feld, Charles Olson and Fred Dolle of Indianapolis.

Cummins Acquires Films

Samuel Cummins has sent word to the local office of Eureka Films from London that he has acquired two features and three new shorts series. The shorts are: "Ants That Talk," "Fishes That Love" and "Horses That Sing."

Roy Smart Expanding

Roy Smart of North Carolina Theatres has just closed a deal with Phil Tyrrell for stage attractions in his circuit, which was recently enlarged by 15 houses. Latest acquisition is the Colonial, Bluefield, W. Va.

Pick Selznick's Next

Hollywood, Aug. 6.—David O. Selznick will produce "Piccadilly Jim," the P. G. Wodehouse novel, with music, for M-G-M. Robert Montgomery will be starred.

Dressler Home for Sale

Hollywood, Aug. 6.—The home of the late Marie Dressler has been put up for sale in order to close her estate. No price has been quoted on it.

Loew's Pfd. Up 6⅛ on Big Board

	High	Low	Close	Net Change	Sales
Columbia Pictures, vtc	25¾	24½	25¾	—1¼	500
Consolidated Film Industries	2¾	2½	2¾	— ⅛	200
Consolidated Film Industries, pfd	12	11¾	11¾	— ¼	200
Eastman Kodak	98	97	98	+ ¼	400
Fox Film "A"	10	10	10	.....	100
Loew's, Inc.	24⅜	22¼	24⅜	— ⅛	6,000
Loew's, Inc., pfd	86	86	86	+6⅛	100
Paramount Publix, cts	3⅛	2⅞	3⅛	.....	9,300
Pathe Exchange	1¼	1	1⅛	— ¼	5,700
Pathe Exchange "A"	13½	11¾	13½	— ½	500
RKO	1⅞	1¾	1¾	— ¼	400
Warner Bros.	3¾	3½	3⅝	— ⅛	2,800

Technicolor Off ¼ on Curb

	High	Low	Close	Net Change	Sales
Technicolor	12¼	11¼	11½	— ¼	600
Trans Lux	1¾	1¾	1¾	.....	200

G. T. E. Bond Issues Drop ½

	High	Low	Close	Net Change	Sales
General Theatre Equipment 6s '40	6	5¾	5¾	— ½	10
General Theatre Equipment 6s '40, ctf	6	6	6	— ½	2
Loew's 6s '41, ww deb rights	100½	100	100½	+ ¼	9
Warner Bros. 6s '39, wd	53	52	53	.....	8

◂ *Purely Personal* ▸

JEFFREY BERNERD, Arthur Lee, Lou Metzger, Isadore Achron, Eugene Zukor, Harold Rodner, Arthur and Dave Loew, Mort Spring, Louis Philips, Harry Brandt, Louis Blumenthal, Jack Shapiro and Al Friedlander were among M. P. Club diners yesterday.

Florence Rogge, ballet director at the Music Hall, was guest of honor at the "Cotton Ball" which opened the convention of the Dancing Masters of America at the Roosevelt Sunday night. She will be a guest at the closing banquet Aug. 10.

Robert Armstrong of the cast of Select's "Gigolette," which is in production at the Biograph plant in the Bronx, will be featured on the Rudy Vallee broadcast Thursday night on WEAF.

Alan Dinehart has returned to the Alamac from Provincetown to place in rehearsal "Alley Cat," which will open soon. Sam Shipman collaborated.

Budd Rogers, sales manager of Liberty Pictures, is back from a tour of Chicago, Minneapolis and Omaha exchanges.

Arthur Leonard, formerly in the Warner play date department, has been transferred to the company's studios on the coast.

Jerry Ellison of Warners advertising department was married Saturday to Frances Karsch, and is away on a week's honeymoon.

A. H. McCausland, head of Irving Trust's RKO receivership department, added his name to the vacation list yesterday.

Ed Finney is on vacation touring the New England States. He expects to see some of the summer plays at Skowhegan, Me.

Arthur Loew, Mort Spring and Mervin Nash sail tomorrow on a 10-day cruise up Lake Champlain in Loew's yacht.

"Hobe" Erwin, designer, is en route to the RKO studios for art work on "Little Minister."

Ethan Alyea, of counsel for Paramount Publix trustees, began a two weeks' vacation yesterday.

Nicholas Schenck guided Joe Vogel across 45th St. and Broadway yesterday morning.

Ed Olmstead succeeds Lou Goldberg as Columbia exploitation head next week.

Nat Levine, president of Mascot, is due in from the coast within the next week or so.

Rutgers Neilson vacationing this week.

Darryl Zanuck arrives from Europe Aug. 14.

Hal Horne will be back at his desk next Monday.

Hal Roach is expected within the next day or so.

M-G-M Declares Dividend

M-G-M has declared a quarterly dividend of 1¾% on the company's outstanding preferred stock, payable Sept. 15 to stockholders of record of Aug. 31.

Legal Fight On ASCAP to Be Set Today

(Continued from page 1)

as a monopoly in restraint of trade. The exhibitors' legal committee has been studying the brief filed by the broadcasters and written by Newton D. Baker of Cleveland, who is attorney in the action. The Independent Exhibitors' Protective Assn. of Philadelphia has already taken steps to join with the broadcasters in this action.

Other courses of legal action are also open to the exhibitors, it was pointed out by members of the committee. Once agreed upon a plan, the committee will turn over its prosecution to an outside law firm to be retained for the purpose. The firm of Cravath, de Gersdorff, Swaine & Wood, which has acted on various occasions for film companies in anti-trust suits, is among the law firms prominently mentioned in this respect.

The legal committee is slated to report back to the main emergency committee at a meeting of the latter tomorrow.

J. P. McEvoy, Paramount contract writer, and *Collier's* were victors in a test in Federal district court here establishing the right of authors to quote copyrighted songs in fiction stories. Shapiro-Bernstein, music publishers, filed the suit following McEvoy's use of a song in his recent story, "Are You Listening" In the decision handed down by Judge Henry W. Goddard late last week it was held that the use of quotations from copyrighted songs in fiction is not a violation of copyright.

Richards Is Named Permanent Trustee

(Continued from page 1)

be undertaken in the near future. A reorganization plan for Saenger had been completed just prior to the signing of the new laws by the President. Saenger petitioned for reorganization under this enactment last month and Richards was named temporary trustee. The new legal status of Saenger as a debtor corporation will necessitate only minor changes in the original reorganization plan, it is understood.

Bankruptcies Down; No Davis Successor

(Continued from page 1)

Paramount Publix and other large bankruptcy proceedings, the U. S. District Court here indicated yesterday.

So many of today's financially embarrassed corporations are petitioning for reorganization under Section 77-B of the new bankruptcy laws, rather than filing petitions in bankruptcy, that the seven referees in the metropolitan district are considered ample for handling current bankruptcy proceedings, it was indicated.

Wampas to Preview Film

Hollywood, Aug 6.—Mascot's "Young and Beautiful" will be previewed at the Wampas meeting Aug. 14 with the entire cast present.

No Public Hearing

Albany, Aug. 6.—Irving M. Ives, chairman of the Assembly committee on public education, said today that he did not intend to hold a public hearing on the amendment to the education laws introduced by Assemblyman Charles H. Breitbart, which provides for a special censorship of films shown to children under 16, although it had been the understanding of the sponsor that such a hearing would be called. Ives reports having told Breitbart that the bill is highly controversial and should go over until the regular session in January.

J. M. Schenck Engaged

Monte Carlo, Aug. 6.—Joseph M. Schenck, president of United Artists, yesterday revealed his engagement to Merle Oberon, British actress who appeared in "The Private Life of Henry VIII." No date for the wedding has been set.

Schenck leaves for the United States Wednesday on the *Conte di Savoia* with Douglas Fairbanks, Sr.

Take "Her Secret" Rights

Trans-Oceanic Film Export Corp. has acquired the Spanish and Portuguese rights to "Her Secret," featuring Sari Maritza, from Ideal.

Reich Bars Picture

Berlin, Aug. 6.—The official Reichsanzeiger has barred showings of M-G-M's "Manhattan Melodrama" in Germany.

Salt Lake Rulings Delay Church Shows

(Continued from page 1)

the last commercial run. The houses are limited to one film a week, one day a week.

Members of the Mormon Church pay $1 per month which entitles all members of the family, regardless of number, to attend these shows, and any one else can get in for 10 cents.

The complaint was brought by Intermountain Theatres Ass'n.

In another case brought by the association against the Pleasant Green Ward House, at Magna, the clearance was set at 365 days after Salt Lake City first runs.

Bank Nights Again Hit by K. C. Board

Kansas City, Aug. 6.—The grievance board today again ruled against bank nights when it ordered the Colonial, Southtown and Westport theatres to end the practice. While declaring it did not feel itself obligated to consider the technical definitions of what constitutes a lottery, the board found that bank nights evade the definitions of a lottery and the lottery laws. The board held the practice reduced admissions and thus created unfair competition.

Appeals will be filed.

Koenig to New York

Milwaukee, Aug. 6.—Ben Koenig, secretary of the local code boards, will be in New York to attend the hearing on the Milwaukee clearance and zoning schedule before Campi Aug. 9.

Favors Long Small Town Clearances

(Continued from page 1)

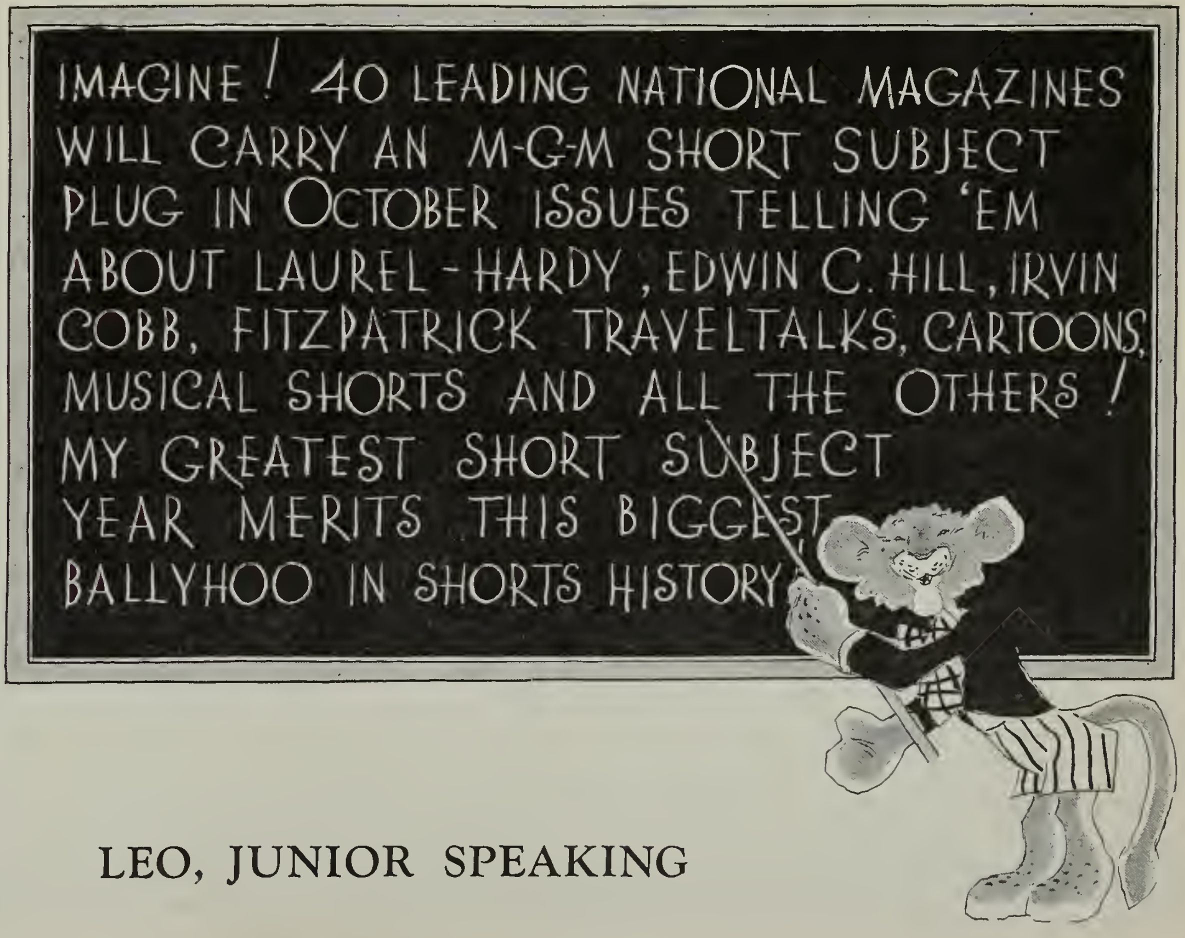
decision on the evidence presented by both sides," said Dubinsky, who is appealing the St. Joseph setup for Campi. "It looks as if they copied the Wichita schedule for St. Joseph. There is no comparison between the two situations."

As proof of his contention that prior runs in smaller towns should receive long protection, he points to the schedule ordered for Atchison, Kan., where first runs charging 20 cents more than second run are allowed eight months' protection.

The board adopted the St. Joseph schedule as its decision on the complaint of subsequents against the Dubinsky first runs. Subsequents are reported as satisfied, as first run clearance for theatres charging 25 cents, now top at Dubinsky houses, is cut to 60 days from existing protection of 132 days over second city run, with 14 days additional over each five-cent drop in admission at subsequents following second city run.

G-B Leases Lion Plant

London, Aug. 6.—Gaumont British has leased the British Lion plant at Beaconsfield with the personnel for a period of two months. Demands for floor space at Shepherd's Bush and the fact that the plant will be closed for a two-week overhaul caused the move.


IMAGINE! 40 LEADING NATIONAL MAGAZINES WILL CARRY AN M-G-M SHORT SUBJECT PLUG IN OCTOBER ISSUES TELLING 'EM ABOUT LAUREL-HARDY, EDWIN C. HILL, IRVIN COBB, FITZPATRICK TRAVELTALKS, CARTOONS, MUSICAL SHORTS AND ALL THE OTHERS! MY GREATEST SHORT SUBJECT YEAR MERITS THIS BIGGEST BALLYHOO IN SHORTS HISTORY!

LEO, JUNIOR SPEAKING

Broadway Grosses Continue in Slump

(Continued from page 1)

$20,000, but picked up over the week-end with "Girl from Missouri," which grabbed $21,000.

Other takes were:

PALACE—"Old Fashioned Way" (Para.), Vaudeville—$11,000.

PARAMOUNT—"Ladies Should Listen" (Para.), Stage show—$19,000.

RADIO CITY MUSIC HALL—"Hat, Coat and Glove" (Radio), Stage show—$62,200.

RIVOLI—"House of Rothschild" (U. A.), 2nd week—$20,849.

RIALTO—"Cockeyed Cavaliers" (Radio)—$8,000.

The Roxy did $14,600 over the week-end with "Handy Andy."

"The Girl from Missouri" is being held for a second week at the Capitol as is "Handy Andy" at the Roxy. On Thursday, the Music Hall opens with "The Most Precious Thing in Lite" to be followed with "The Cat's Paw" and "Down to Their Last Yacht."

Coast Production Up to 36 Features

(Continued from page 1)

with six in work, one preparing and eight cutting; M-G-M has four, three and 12; Fox, four, three and five; Paramount, four, three and two, Universal, four, two and three; Columbia, three, three and four; Radio, three, four and three; Goldwyn, two, zero and zero, while the independent group registers six, four and five.

In the short subject division M-G-M has two working, one preparing and four editing; Roach, zero, zero and one; Columbia, zero, two and three; Radio, zero, zero and nine, while the independents show five, six and five.

Film Councils Active

LOUISVILLE, Aug. 6.—A public meeting in the fall for the purpose of discussing the clean film drive is planned by the Better Films Council, headed by Mrs. Emmet F. Horine.

NEW ORLEANS, Aug. 6.—"Advertising superlatives" and "salacious films" were attacked at a meeting of the Better Films Council and members were told by Mrs. Harry A. Thompson, who presided, that the way to "properly and successfully combat deplorable film conditions" was to support the M. P. Research Council.

To Discuss Film Drive

A lecture and discussion of the "Church Crusade Against the Hollywood Film" is scheduled by the Film and Photo League, 12 East 17th St., tomorrow night.

Lederman Joins Warners

HOLLYWOOD, Aug. 6.—D. Ross Lederman, who recently completed his 27th action film for Columbia in two and a half years, has signed a long term Warner contract.

Warners Doing 'Caliente'

HOLLYWOOD, Aug. 6.—Warners are planning to team Franchot Tone with Dolores Del Rio in "In Caliente." Production will soon get under way on location at the Mexican resort.

MOTION PICTURE DAILY'S HOLLYWOOD PREVIEW

"The Dragon Murder Case"

(*Warners*)

HOLLYWOOD. Aug. 6.—This murder mystery, solved in the fiction style of Philo Vance created by S. S. Van Dine, lacks the usual suspense build up. However, it may prove satisfactory entertainment for mystery film clienteles due to the popularity of its main character even though it is slow.

An unusual murder takes place in a dragon swimming pool on the estate of a wealthy explorer. Animosity existing between the guests present at the swimming party supplies an interesting tangle for solution by Warren William, as Vance. An eerie note is introduced by the suggestion of half-crazy Helen Lowell that the murder was committed by the dragon inhabitant of the ancient, remodeled pool.

William gets a hunch from claw marks on the neck of the strangled victim, apparently throttled under water. The solution involves the reenactment of the crime, with the principal parties, during which time two more murders are committed.

William's hunch works out, proving that the murder was committed by Robert Barrat, who had posed in a drunken stupor at the time of the crime. The crime is revealed as having been done in a diving suit with the mark on the victim's neck caused by an ordinary diving claw. Money the motive.

F. Hugh Herbert and Robert N. Lee penned the screenplay. H. Bruce Humberstone directed. Margaret Lindsay, Lyle Talbot, Eugene Pallette and Miss Lowell have good supporting roles. Running time, 68 minutes.

"Kansas City Princess"

(*Warners*)

HOLLYWOOD, Aug. 6.—This is hoke comedy, colorful and racy, stacking up as a satisfactory programmer. It is fast-moving in action and dialogue, well-acted and directed, and built to click with regular theatregoers. The yarn majors in popular entertainment.

The story opens in a Kansas City barber shop. Manicurist Joan Blondell, at the urging of her pal, Glenda Farrell, takes a run-out powder on Robert Armstrong, a gangster, after losing his engagement ring. Chased by Armstrong, they make New York, meeting two playboys, Hobart Cavanaugh and T. Roy Barnes. They go off to Paris as Armstrong muscles in as bodyguard to Hugh Herbert, making the playboys pay their fare.

In Paris Herbert seeks to get the goods on his wife, Renee Whitney. Detective Osgood Perkins and Gigolo Ivan Lebedeff work a double-cross that costs Herbert big dough, but makes marriage for Miss Blondell and Armstrong possible and tosses Miss Farrell into Herbert's arms.

The Misses Blondell and Farrell make ideal foils for the Armstrong-Herbert tomfoolery, carrying the show. Perkins, Cavanaugh, Barnes, Lebedeff, Miss Whitney and Vince Barnett are effective, while William Keighley's direction takes full advantage of the Manuel Seff-Sy Bartlett treatment. Running time, 58 minutes.

Looking 'Em Over

"Ra-Mu"

(*Fairhaven Prod., Ltd.*)

Filmed by Capt. E. A. Salisbury on his round-the-world expedition, "Ra-Mu" is a travelogue packed with interest and rich in educational values.

The production takes the audience on a trail of adventure that begins in Bali in the Dutch East Indies and terminates in Abyssinia. On the way the camera records the lives of a variety of strange peoples, at work and at play. Some of the places visited between Bali and Abyssinia are Java, Sumatra, Ceylon and Arabia. Some amazing customs of the natives encountered by Captain Salisbury are revealed. These customs range from the humorous to the weird, even the tragic.

Among the most engrossing scenes in the picture are those depicting a few of the tricks of self-punishment practiced by the fakirs of Ceylon.

The narrative, spoken by William Peck, a member of the expedition, adds to the entertainment value of the picture, revealing a fine sense of humor. Running time, 61 minutes.

Closing of Center Saves RKO $17,500

(Continued from page 1)

the two houses was thus reduced to $32,500 for August.

Current leases on both the Radio City theatres and the RKO office space expire Aug. 31. Negotiations are under way for renewals of the leases at approximately the same terms as are now in effect. K-A-O, which lists the Palace in its holdings, has been advocating moving its headquarters from Radio City to the Palace as an economy measure. RKO is not considering the move but would not oppose K-A-O's transfer of headquarters if the latter insisted, it was stated on good authority.

The present lease arrangements on the Music Hall call for a participation in profits of the house by Rockefeller Center, fixed at $50,000 monthly after payment of operating expenses of the house and maintenance of a working fund of $100,000 and reserve fund of $25,000. Rockefeller Center may participate in profits after the above-mentioned provisions up to $353,972 additional.

Fire in Cincy House

CINCINNATI, Aug. 6.—Fire in the projection room of the Loveland Opera House destroyed 9,000 feet of film, and caused damage to the sound equipment, with loss estimated at $1,000, according to F. R. Crist, owner and manager. The audience left without demonstration when the blaze was discovered.

Zanuck Buys Stage Play

LONDON, Aug. 6.—Darryl F. Zanuck, production head of 20th Century Pictures, announces that he has bought the film rights to the English stage success, "Old Folks at Home," and will film it for release through United Artists. "Lady Jane" will be the release title.

Refuse to Loan Davis

HOLLYWOOD, Aug 6.—Warner Brothers clamped down on a loanout of Bette Davis to Paramount for the featured role in "Limehouse Nights."

The reason given was that she was needed on the home lot.

At the same time Warners made a deal with Universal to lend Claire Dodd to that studio for "Rendezvous at Midnight."

Wisconsin Meet Set

MILWAUKEE, Aug. 6.—The annual convention of the Allied Independent Theatre Owners of Wisconsin is slated to be held Sept. 26 and 27 at the Hotel Schroeder, this city. Officers for the ensuing year will be named.

Bert Levy Dies at 63

HOLLYWOOD, Aug. 6.—Bert Levy, cartoonist who worked as an illustrator at the Paramount studios, died yesterday at the Cedars of Lebanon Hospital in his 64th year, after a long illness.

Donovan Is Secretary

LOS ANGELES, Aug. 6.—The actor-producer five-five committee has selected Major J. O. Donovan as its official secretary.

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MOTION PICTURE DAILY

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VOL. 36. NO. 32 NEW YORK, WEDNESDAY, AUGUST 8, 1934 TEN CENTS

Ohio Section Gets New Deal On Clearance

Cincy, Dayton, Columbus Schedules Changed

CINCINNATI, Aug. 7.—As a result of protests recently filed with the clearance and zoning board by exhibitors in the Cincinnati, Dayton and Columbus territories against the existing schedule, new schedules for the 1934-35 season have become effective. Five days for protests were allowed.

The new schedules are based on current policies and admissions, the admission basis being the minimum lower floor adult prices charged after 5 and 6 P. M. Where any subsequent run desires to change its lower floor scale, it must give at least 14 days'

(*Continued on page* 4)

Campi Gains Right To Sue for Dues

WASHINGTON, Aug. 7.—Campi shall have the right to institute legal proceedings for collection of assessments under the code, according to an amendment approved by the NRA. Failure

(*Continued on page* 4)

"U" Sets Two Deals In Music Hall, Roxy

Universal closed two deals yesterday, one for the Music Hall and the other for the Roxy. In the first instance, a lone film deal was made for "One More River," which goes into the Music Hall tomorrow. The picture, originally bought by the Roxy on the current program, was released to Universal.

The second deal is for "Romance in the Rain," which opens for an indefinite run at the Roxy Sept. 7, simultaneously with the Jewish pageant, "Romance of a People."

Loew's Negotiating For 5 More Houses

Loew's is negotiating for five local theatres and expect to consummate the deals within the next few days. The circuit recently acquired the Boston Road and dropped the Freeman.

RKO has taken over the Fortway, Brooklyn, and Queensboro, Elmhurst, L. I. Both circuits were negotiating for Consolidated and Springer & Cocalis houses before the two independent outfits merged.

Dual Bill Ban Spreads; ITOA to Act Here Today

Majors to Eliminate Duals, Tip K. C. Scales in 3 Weeks

Loew's, Paramount and RKO will eliminate duals and increase admissions in Kansas City within the next three weeks, Sam Dembow, Jr., states.

The first two circuits drop second features in two weeks while RKO follows a week later.

In all instances admissions will be increased from 25 cents to 40 cents.

Independents are understood ready to adopt single films and likewise hike scales, but have been waiting for major circuits to move.

Dembow, Joe Vogel and Elmer Rhoden of Fox Rocky Mountain recently conferred in New York on the plan.

Four Key Spots Acting By Agreement, with Jersey Included

Elimination of duals by agreements between exhibitors in key cities is spreading, with four cities having either adopted the plan or ready to put it into effect within the next few weeks.

In addition, New York exhibitors, members of the I. T. O. A., have been called into session today at the Astor to discuss the single film policy. Harry Brandt, president, will be chairman.

Cities already going on record favoring extinction of doubles are Cleveland, St. Louis, and Kansas City and a number of New Jersey spots. Cleveland has had the single feature plan in effect since July 1 and has had only one violation, which has been

(*Continued on page* 6)

Premium Ban In K.C. Stirs Talk of Suits

KANSAS CITY, Aug. 7. — Revolt against the banning of rebates by exhibitor votes seems to be brewing here among premium users and their sympathizers, and there are rumblings of Federal court action to test the validity of the code in this respect.

E. S. Young, operating two theatres and a premium user, announced his intention of defying the vote which ruled out rebates after Oct. 27 in a six-county area including Kansas City.

"I intend to give away premiums

(*Continued on page* 4)

Seek Campi Ruling Upon Bank Nights

KANSAS CITY, Aug. 7.—Clarification of the bank night issue and a rule from Campi to apply nationally is the object of the appeal from the decision of the Kansas City grievance

(*Continued on page* 4)

No Majors Complain To NRA on Code Cost

WASHINGTON, Aug. 7.—No complaints on assessments by major producers and distributors have as yet reached the NRA. About a dozen protests to levies have been received from other sources.

Slight Hopes Seen for New Fox Met Bids

Little likelihood of an outside bidder coming into the Fox Metropolitan Playhouses situation at this time is seen as a result of the product deals already closed for the bulk of the metropolitan territory which automatically make a second run circuit of Fox Met for next season, it was pointed out yesterday by those close to the situation.

In addition, it was learned that Warners are interested in acquiring only the 18 Fox Met holdings in New

(*Continued on page* 6)

Judges Order Cuts In Bankrupt Costs

KANSAS CITY, Aug. 7.—Aroused by the fact that statistics from 91 judicial districts in the United States show the cost of bankruptcy administration to be higher in only nine

(*Continued on page* 6)

U. S. Films Showing Increase in Berlin

WASHINGTON, Aug. 7.—Two hundred and three first runs were screened in Berlin during the 1933-34 season as compared with 209 in the 1931-32 and the 1932-33 season, says

(*Continued on page* 6)

ASCAP Law Fight Plan Is Outlined

Although legal procedure against the American Society of Composers, Authors and Publishers under the anti-trust laws is favored by the national exhibitors' emergency committee formed to oppose the music tax increases scheduled for Oct. 1 by the society, the actual procedure will be

(*Continued on page* 6)

Coast Indies Will Discuss Breen O. K.

HOLLYWOOD, Aug. 7.—Trem Carr, president of the Independent Producers Ass'n., has called a meeting next week of the entire membership to vote on the Hays office offer to pass on independents' product in connection with the purity seal.

Joseph I. Breen states many independent producers have availed themselves of his service in censoring scripts, but cannot give official certificates until both majors and independents can get together on some kind of a plan.

Bolognino, Springer To Operate Circuit

Operation of the 50 Trio-Consolidated houses in Greater New York will be handled by Laurence Bolognino, president, and Jack Springer, treasurer, of the new combine. Sam Cocalis, vice-president, will be in charge

(*Continued on page* 6)

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Set Big Outdoor Splash

Paramount is putting on its first big billboard campaign since Marlene Dietrich's "Song of Songs." For "Cleopatra," Robert Gillham and his aide, Alec Moss, have made arrangements to post 350 28-sheets, 1,000 14-sheets, 2,000 six-sheets, 3,500 three-sheets and 8,000 one-sheets. The paper will be posted in the Metropolitan district including New York, Westchester, Long Island, New Jersey and Connecticut.

Hoffman on a Tour

Los Angeles, Aug. 7.—M. H. Hoffman, Jr., associate producer for Liberty Pictures, is on a tour of the northwest which includes stops in Seattle and Portland. He is accompanied by F. W. McManus, San Francisco manager for Allied Pictures, west coast distributor for Liberty.

Hungarian Films Here

Danubia Pictures, Inc., has opened offices here for the distribution of Hungarian talking pictures with English sub-titles. Three have already been set. They are: "My Wife the Miss," "Everything for Women" and "The Rakoczi March."

Bars Dillinger Act

Akron, Aug. 7.—The Dillinger act, headed by John Dillinger, Sr., will not be allowed to appear here, city officials ruled yesterday. They were scheduled to open Sunday at the Summit County Fair.

Knight Given Award At Pittsburgh Lunch

Pittsburgh, Aug. 7.—More than 100 leaders in the industry in the tri-state area attended the Variety Club luncheon at which R. E. (Fuzzy) Knight, Warner manager in Fairmont, W. Va., was presented the Martin Quigley Plaque for June. Knight won the award for his campaign on "Twenty Million Sweethearts."

Harry Kalmine, zone manager for Warners, made the presentation speech. Knight was to have received the plaque on the coast several weeks age, but illness terminated his trip to Hollywood in Chicago and he was sent to the Johns Hopkins Hospital in Baltimore for treatment.

One of the guests was Mayor William N. McNair of Pittsburgh, who spoke briefly. Others at the speakers' table were Dick Kemper, Warner manager in Wheeling, W. Va.; John Flynn and John Maloney, district and local manager, respectively, for M-G-M; Harold W. Cohen, film editor of the *Post Gazette*; Art Levy, Columbia exchange manager; Father Garrahan, Knight, Kalmine and McNair.

Rogers to Produce 10

Hollywood, Aug. 7.—Charles Rogers' new deal with Paramount calls for 10 pictures next season, a reduction of two from his current program. The elimination of the two pictures was made at Rogers' own request. He recently returned from New York where he spent two days after visiting his mother and brother.

Para. Bookings Set

Five pictures have been set for the Paramount to follow "Cleopatra." They are: "She Loves Me Not," "The Scarlet Empress," "Now and Forever," "Belle of the Nineties" and "Mrs. Wiggs of the Cabbage Patch."

Lou Goldberg to Para.

Lou Goldberg, who recently resigned from Columbia, joins the Brooklyn Paramount next week as publicity and advertising head. The house reopens Aug. 31.

Sells Oriental Rights

J. A. Koerpel, president of Eureka Prod., has sold the Japan and China rights to "Jungle Killer" to Yamani Yoko of Tokyo.

20th, London Films Will Share Talent

London, Aug. 7.—Darryl F. Zanuck, production chief of 20th Century, has completed negotiations with Alexander Korda of London Films for the joint engagement of players and other film talent by the two companies, both of whose product is released through United Artists.

The move carries the plan for the interchange of film personalities between America and England a step further. Now, instead of "loan" arrangements between the two companies, stars, directors, writers and cameramen will be under contract to both producers at once.

Free Shows for Kids

Long Beach, L. I., Aug. 7.—Free shows for children are being given every Wednesday night during the summer by Mr. and Mrs. Lee D. Zimmern on a lot adjoining their home at 33 Ohio Ave. here. The projection apparatus is owned by Zimmern, but he has to rent the film.

RCA Patent Expansion

The closing of contracts with radio firms in Holland, France, Italy, Hungary and England conveying the right to use RCA patents in return for royalty payments was revealed yesterday by David Sarnoff, RCA head, upon his return from abroad.

Mrs. Mayer Ill in Paris

Paris, Aug. 7.—Louis B. Mayer, president of M-G-M, flew here today from London to the bedside of Mrs. Mayer, who is ill in the American Hospital. Mrs. Mayer's illness is not considered critical, however.

Use Crusoe Background

Hollywood, Aug. 7.—Robinson Crusoe will figure in Walt Disney's next Mickey Mouse, titled "Mickey's Man Friday." United Artists will handle the release.

Appoints Argentine Head

Sam E. Morris, vice-president of Warners, has appointed Harry M. Novak as general manager in the Argentine and Uruguay. Novak has already taken up his new duties.

Many on Big Board Decline

	High	Low	Close	Net Change	Sales
Columbia Pictures, vtc	24½	24¼	24¼	—1½	200
Eastman Kodak	99	96⅞	96⅞	—1⅛	800
Fox Film "A"	10¼	10	10	.....	200
Keith-Albee-Orpheum	35	35	35	—2½	100
Loew's, Inc.	24¾	23⅝	24½	+ ⅛	3,200
Paramount Publix	3	2⅞	3	— ⅛	1,200
Pathe Exchange	1⅛	1⅛	1⅛	.....	1,400
Pathe Exchange "A"	14	13¼	13¼	— ¼	400
RKO	1¾	1¾	1¾	.....	1,600
Warner Bros.	3¾	3½	3½	— ⅛	1,700

Sentry Loses ⅛ on Curb

	High	Low	Close	Net Change	Sales
Sentry Safety Control	⅛	⅛	⅛	— ⅛	200
Technicolor	11¾	11¾	11¾	+ ¼	200
Trans Lux	1¾	1¾	1¾	.....	200

Loew's Bonds Advance 1½ Points

	High	Low	Close	Net Change	Sales
General Theatre Equipment 6s '40	6	5¾	5¾	.....	7
Loew's 6s '41, ww deb rights	102	101	102	+1½	24
Paramount F. L. 6s '47	38	38	38	—1	5
Paramount Publix 5½s '50	38½	38½	38½	+ ¼	2
Warner Bros. 6s '39, wd	52½	52¾	53½	+ ½	1

◂ Purely Personal ▸

David Loew, J. C. Barnstyn, Budd Rogers, Jack Glucksman, Ed Schnitzer, Harry Shiffman, Nat Cohen, Murray Rosenbluh, Lewis Phillips, Lee Ochs, Solly Marcus, Emil Jensen, Si Hammerslig, Ed Golden and Harry Thomas were among those lunching at the M. P. Club yesterday.

Charles B. Ballance, general manager of Paramount Films of India, Ltd., arrives here tomorrow aboard the *Manhattan.* He is coming for conferences on new product with officials of Paramount International Corp.

Harry Asher, Boston; William Hurlbutt, Detroit; Morris Segal, Cincinnati, and Ralph Scott, Oklahoma City, Majestic franchise holders, are in town.

Nancy Carroll, Leo Carrillo, Patsy Kelly, Adrienne Ames and Robert Armstrong are frequent visitors at the Long Branch, N. J., Kennel Club.

Helen Greenberg, head bookkeeper for Majestic, is back from an Atlantic Highlands vacation with a swimming medal and a lifeguard coat of tan.

Thomas A. Kilfoil, first comptroller for Majestic, has rejoined the company after having been away since March.

Louis Lamm of the Capitol, Elyria, O., and Julius Lamm of Warners' Uptown, Cleveland, are in town.

Glenda Farrell leaves today for Marblehead Hall, Va., where she will continue her convalescence from her recent appendicitis operation.

Don Redman and his orchestra start work today at the Brooklyn Vitaphone studio in a one-reel musical.

Phil Regan, former member of the New York Police Dept., and now a featured player with Warners, is in town on a short vacation.

Harry Arthur's son, Harry, Jr., gave the Roxy the onceover yesterday and he's now taking managerial lessons from his dad.

Major Edward Bowes was a guest of the New York Giants at their game yesterday against the Brooklyn Dodgers.

Herman Rifkin, Monogram franchise holder for Boston, is in town for a few days.

William Conselman, Fox scenarist, is in town on a short vacation. He flew in.

Robert Riskin, Columbia writer, returned from Europe yesterday aboard the *Paris.*

William Scully returns from a New England trip today.

Ben Rosenberg of National Screen is on the road on business.

Richard Rowland visited the M. P. Club for lunch yesterday.

Ed Kuykendall is due in town today.

Finish "Convention Girl"

Shooting was completed yesterday on Falcon Prod.'s "Convention Girl" at the Photocolor Studio, Irvington. Luther Reed directed. Release is set for Sept. 1.

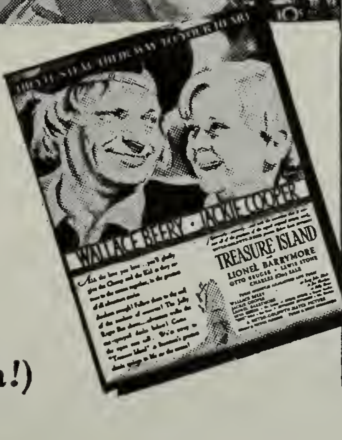
M-G-M's AD CAMPAIGN REACHES THE ENTIRE 30,000,000 FAMILIES OF AMERICA!

40 Great National Magazines with 32,204,660 Circulation Carries M-G-M's New Season Message to the Entire Nation!

Whether you run a theatre in Caspian, Michigan (population 1,888) or Davis, Oklahoma (population 1,705) or Harrisburgh, Pa. (population 85,500) or cities with hundreds of thousands ...ask your M-G-M salesman to show you how many families in your town are getting these magazines with M-G-M's new season message. This campaign has been designed to cover every picture-goer in your city!

FULL PAGE ADS LAUNCH M-G-M's NEW SEASON PRODUCT FROM COAST-TO-COAST!

(*Next come* BILLBOARDS! *Watch!*)



Ohio Section Gets New Deal On Clearance

(*Continued from page* 1)

written notice to exchanges, and must maintain the new increased price for a period of not less than 30 consecutive days.

Suburbans are divided into classes according to admissions charged, in order to determine availability. The admission prevailing at the time the exhibitor contracts for service determines the group into which his house is classified.

Where the status of a theatre changes after exhibitor contracts for services, either the exhibitor or the distributor has the right to request a revision of the original contract terms. Where request for such revision is made, and an agreement cannot be reached, arbitration is provided in Article 8, Part 2, of the code.

First runs on a double feature policy in Cincinnati and Dayton become available to subsequents five weeks earlier than specified in the city schedule; in Columbus, three weeks earlier.

Others Set Back Two Weeks

A subsequent run with films and stage attractions is set back two weeks later than the city schedule. Any subsequent double featuring 1934-35 product at any time is classified as a double bill theatre, and is set back 14 days after the city schedule for 30 days. Any subsequent charging less than a 15-cent matinee rate is set back 14 days after the city schedule.

In any zone where two or more theatres are competitive, the distributor is given the right to sell one theatre with clearance over any other in the same zone, such clearance to be limited to the second Sunday following the first run availability in the zone. Any disputes as to whether or not theatres are competitive are to be settled by the local clearance and zoning board.

Pictures released without a first run become available to subsequents in the price class designated by the distributor not sooner than 30 days after notice of release date.

Cincinnati first runs at 35 cents or less become available two weeks earlier than those played over 35 cents.

How RKO Paramount Stands

The RKO Paramount, suburban, is to play within the first run clearance, but in no event sooner than the 25th day after the first run. Other suburbans are divided into eight classes with admissions ranging from 30 cents down to 15 cents with availability scaled from the seventh to the 17th Sunday. Houses charging 10 cents or less are given nine-month availability. This applies to all territories. The four colored theatres in Cincinnati have availability set from 35 to 100 days, according to admissions.

Five classes are designated for subsequents in the Kentucky towns across the river from Cincinnati. Availability is from the sixth to the 13th Sunday after first run, with prices scaled from 25 to 15 cents.

Indiana situations contiguous to Cincinnati have four classes with availability from the third to the eighth Sunday, based on prices of 25, 20, 15 and 10 cents.

Pictures are available for the Strand, Dayton, on the fifth Sunday after first run provided that house maintains a lower floor adult admission of not less than 25 cents, including tax. Five classes are applied to other subsequents, and availability designated from the seventh to the 13th Sunday. The Classic, Dayton, colored house, is given 30 days after completion of first run, and the Palace, also a colored house, 100 days.

In Greenville, Troy and Piqua, Ohio, availability is set for the second Sunday after completion of Dayton first run, provided an admission is not less than 20 cents, including tax. Tippecanoe City availability is the fourth Sunday.

Columbus first run availability is on national release date, but when a picture is moved from one first run house to another in a continuous run, adult lower floor admissions after 6 P. M. shall be higher than the highest adult admission price in effect in any subsequent run.

The subsequents are divided into five classes, admissions ranging from 25 cents top to 15 cents. The Pythian, Cameo and Empress, colored, are given 30-day availability provided admissions of not less than 15 cents, including tax, are maintained. The three houses are competitive, and any one of the three has the right to buy with 30 days' clearance over the other two. If, however, any one of the houses reduces admission below 15 cents, availability becomes 100 days after completion of first run.

Appeals Heard Now Total to About 60

Approximately 60 appeals have been heard by 10 committees within the last month, it was stated at Campi headquarters yesterday.

The second appeal concerning U.A.'s 10 per cent cancellation was up yesterday before a board comprising Charles L. O'Reilly, chairman; J. Louis Geller and William Kupper. The complaint was filed by H. R. Evans, Albion, Indianapolis. Edward Raftery was counsel for U. A. The first case, that of the Egyptian, De Kalb, Ill., was referred back to the Chicago grievance board because of insufficient facts.

Other appeals on the docket were the Forum against Loew's Victory and distributors on clearance and zoning and the Fleetwood against the same defendants.

Legitimate Theatre Code Ready Aug. 15

Deputy Administrator William P. Farnsworth will present the revised legitimate code to members of the legitimate theatre code authority at a special meeting in the Paramount Building Aug. 15.

Contents of the code are being kept secret until the meeting is held. The session will be the first since June.

Campi to Give Out Monthly Statements

Financial statements will be issued monthly by Campi from now on. The July statement on operations will be released within the next few days.

The purpose is to give exhibitors and distributors an idea on how monies collected are being spent.

Seek Campi Ruling Upon Bank Nights

(*Continued from page* 1)

board declaring the plan a lottery and in violation of the code.

Considerable evidence in support of both sides of the controversy has been forwarded to Campi in the form of the transcript of the local hearing and numerous exhibits, including decisions by the attorneys general of Kansas and Missouri. Proponents are banking largely on a recent ruling by Sol A. Rosenblatt, division administrator, that if no paid admission is required for participation, devices of this nature are not a violation.

Legality of bank nights under the code has been ruled upon so far by grievance boards in 10 cities, according to R. W. McEwan, Kansas City representative of Affiliated Enterprises, Inc. Seven boards have given the plan a clean bill, while three have ruled against it. Dallas, Oklahoma City, Atlanta, Charlotte, Minneapolis, St. Louis and Des Moines boards have favored bank night, said McEwan. Los Angeles, Denver and Kansas City boards have found it violates the code. The appeal from Kansas City is in the nature of a showdown.

Arbitrate as Board Postpones Session

WASHINGTON, Aug. 7.—Something new in the settlement of exhibitor disputes developed here yesterday following the postponement of a grievance board meeting, due to the fact that no impartial member was present.

Gaertner Brothers and Walter Silverberg, both of Baltimore, were present to settle a reduced admissions complaint brought by the former. They appealed to Robert Smeltzer, Warner district manager; Sam A. Galanty, Columbia district manager; John J. Payette, Warner theatre zone manager, and Herman A. Blum of Baltimore to sit as arbitrators. After considerable testimony about "pal day" tickets the arbitrators decided to try to work out a plan of settlement.

Ad Grievances Will Be Heard Thursday

Three of the four cases to come before the New York grievance board tomorrow deal with premature advertising. Loew's is complainant in two of the cases, while Warners is protestant in the third.

The premature advertising complaints are: Warners Lincoln, Union City, against Temple, same city; Loew's Melba, Brooklyn, against Paras-Court, same borough; Loew's Palace, Brooklyn, against Bluebird, same borough.

The fourth case on the calendar is the Roxy's complaint against the Mayfair alleging violation of a cease and desist order by the board on cut rate tickets.

Sam Morros with Campi

Sam Morros, formerly prominent in the local theatre brokerage business, has joined Campi as contact man. He will spend considerable time on the road and has just returned from Detroit where he attended a local code board meeting.

Premium Ban In K.C. Stirs Talk of Suits

(*Continued from page* 1)

after Oct. 27 and if necessary will apply for a Federal injunction against the grievance board," he told MOTION PICTURE DAILY.

Members of an independent exhibitors' faction are irked over refusal of the grievance board to strike off the names of six exhibitors who changed their minds after signing a petition to ban rebates. They also object to the manner in which the vote was taken and declare they will challenge it. Jay Means, I. T. O. president and grievance board member, conducted the vote himself by circulating a petition. The protestants charge the vote should have been conducted by individual ballot of all theatres in the prescribed area.

After once refusing to accept a notice of withdrawal of their names by five exhibitors who had originally voted for the ban, Grace Gannon, board secretary, subsequently accepted it, but the board ruled the signatures could not be stricken off.

The withdrawal request originally was made of Means, but he ruled the signers were fully aware at the time of what they were signing and their names would stick.

Exhibitors signing the withdrawal request were Ed Hartman, Murray; F. L. Scoville, Prospect; Louis Sutter, Columbia; C. E. Esterley, Nu-Era and State; J. F. Rigney, Westport. A separate withdrawal request was filed by C. H. Bates of the Hollywood. All are Kansas City, Mo., suburbans.

It is understood 56 independents signed the petition circulated by Means.

Campi Gains Right To Sue for Dues

(*Continued from page* 1)

to pay assessments is considered a violation, the amendment states.

Text of the amendment is as follows:

"Upon approval by the administrator of an itemized budget of such expenses and an equitable basis of contribution thereto, each such member shall be legally obligated for and shall pay to Code Authority his or its respective equitable contribution, subject to rules and regulations pertaining thereto issued by the administrator. Failure to pay such equitable contribution shall constitute a violation of this code. In addition to all rights and remedies with respect thereto, the Code Authority shall have the right to institute legal proceedings for collection of any such equitable contribution."

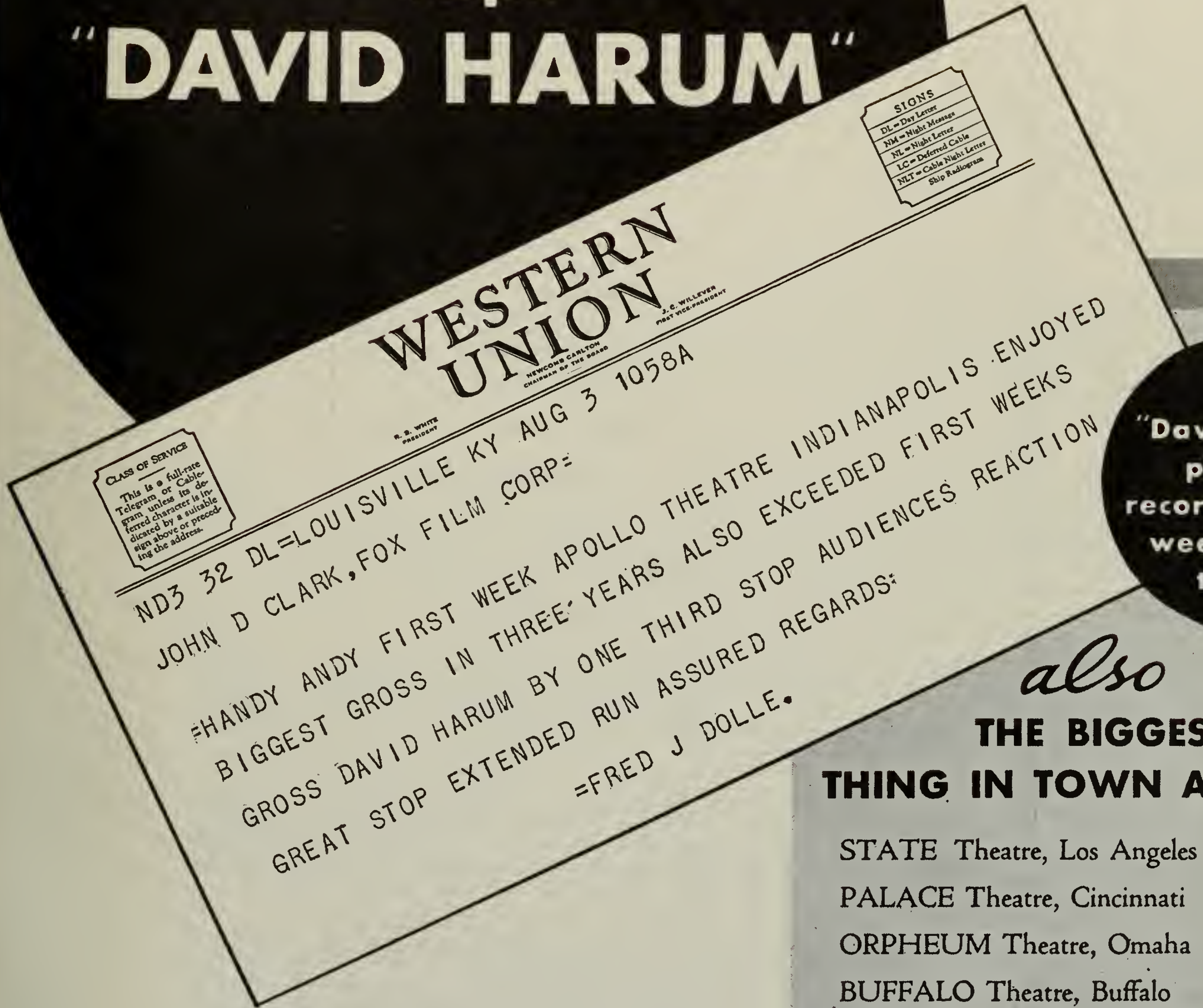
Refuse Clearance Change

LOS ANGELES, Aug. 7.—After three days of discussion as to whether the Forum should be placed in the same zone with the Uptown, the clearance and zoning board has turned down the F.W.C. complaint and has decided to keep the schedule as it is.

as predicted "HANDY ANDY"

(in the heat of mid-summer)

tops "DAVID HARUM"



WESTERN UNION

R. B. WHITE PRESIDENT
NEWCOMB CARLTON CHAIRMAN OF THE BOARD
J. C. WILLEVER FIRST VICE-PRESIDENT

CLASS OF SERVICE
This is a full-rate Telegram or Cablegram unless its deferred character is indicated by a suitable sign above or preceding the address.

SIGNS
DL = Day Letter
NM = Night Message
NL = Night Letter
LC = Deferred Cable
NLT = Cable Night Letter
Ship Radiogram

ND3 32 DL=LOUISVILLE KY AUG 3 1058A
JOHN D CLARK,FOX FILM CORP=
=HANDY ANDY FIRST WEEK APOLLO THEATRE INDIANAPOLIS ENJOYED BIGGEST GROSS IN THREE YEARS ALSO EXCEEDED FIRST WEEKS GROSS DAVID HARUM BY ONE THIRD STOP AUDIENCES REACTION GREAT STOP EXTENDED RUN ASSURED REGARDS=
=FRED J DOLLE.

and "David Harum" played 5 record-breaking weeks at this theatre

also

THE BIGGEST THING IN TOWN AT

STATE Theatre, Los Angeles
PALACE Theatre, Cincinnati
ORPHEUM Theatre, Omaha
BUFFALO Theatre, Buffalo
DENVER Theatre, Denver
CHICAGO Theatre, Chicago
POLI Theatre, New Haven
NEW Theatre, Baltimore
ST. FRANCIS,* San Francisco

* Continued first run from the Warfield, where it beat every previous Rogers picture.

and **EVERYWHERE ELSE!**

WILL ROGERS
in
"HANDY ANDY"

with
PEGGY WOOD
CONCHITA MONTENEGRO
MARY CARLISLE ROGER IMHOF
ROBERT TAYLOR
Produced by Sol M. Wurtzel
Based on play "Merry Andrew" by Lewis Beach
Directed by David Butler

FOX

Held over for second smash week at Roxy Theatre, New York

ITOA to Act Today as Dual Ban Spreads

(Continued from page 1)

stayed by court order. St. Louis drops second features with bookings of new season's product, simultaneously hiking price scales matinees and evenings. Kansas City goes for the idea in two weeks, with Paramount and Loew's starting the ball rolling. New Jersey has its plan tentatively slated to go into operation Sept. 3, but will probably be set back until independents rearrange bookings.

In all instances major circuits are cooperating with unaffiliated houses and agreements have been and are being signed.

Discussions today at the I. T. O. A. session will be followed by a vote to exclude second features, it is expected.

About two years ago an attempt was made by circuit men and independent exhibitors to go for the lone feature idea. Loew's was willing to go along with unaffiliated theatre owners, but the move hit a snag when RKO refused to further participate in the meetings. Since then the subject has never been brought up again.

Many Indies Now Tripling

At the present time numerous independents are tripling, adding the third feature Saturday and Sunday matinees. In one house in the Bronx, three features are advertised as the regular program for the entire day. An admission of 10 cents is charged most of the day.

Some of the local exchanges have clauses in contracts stating no two pictures distributed by any one company can be shown on the same program, but the agreements, in most cases, have never been enforced.

The most important independent circuit, Trio-Consolidated, with 50 houses, is not a member of the I. T. O. A., and it is understood Sam Cocalis, buyer and booker, will not go along with the exhibitor organization in the event it decides to drop doubles. The Springer & Cocalis circuit was dropped from the organization some months ago, when, it was stated, it refused to pay dues.

Adding to the exhibitor pacts in the four cities are clearance and zoning schedules filed with Campi which contain clauses penalizing exhibition of doubles. These clauses will be attacked by independent distributors on the ground that the code leaves the dual question up to the individual exhibitor.

Tomorrow Campi will hear protests on the Milwaukee schedule, the first to come before it with a clause penalizing twin bills by setting back release dates.

ASCAP Law Fight Plan Is Outlined

(Continued from page 1)

left to an outside law firm to be retained within the next few days, it was decided yesterday at a meeting of the exhibitors' committee.

Walter Vincent, chairman, appointed a permanent legal committee whose first business will be to agree on the law firm to be retained for the court battle. On the committee are Leopold Friedman, Loew's, chairman; Edwin G. Levy, M. P. T. O. A. counsel; Abram F. Myers, Allied States counsel; Milton C. Weisman, I. T. O. A. counsel, and I. E. Lambert, RKO.

When the exhibitors' counsel has been engaged the emergency committee will reconvene to select a nationwide committee of 100 representative exhibitors who will formulate sectional plans for contacting senators and representatives and candidates for those offices at the fall elections to enlist support for new legislation which would limit and re-define the copyright laws. This field committee will also aid in developing a financing plan for the exhibitors' national campaign against the ASCAP.

Legal moves may also be undertaken to obtain a reversal of the Federal court ruling which holds that ASCAP's activities are not interstate commerce. With this ruling reversed, it was stated, procedure against the society under the anti-trust laws would be greatly simplified and facilitated.

MOTION PICTURE DAILY'S HOLLYWOOD PREVIEW

"The Human Side"

(*Universal*)

HOLLYWOOD, Aug. 7.—This is Universal's answer to the clean, wholesome pictures demand without sacrificing the necessary ingredients for entertainment qualities to please the masses.

Being down to earth comedy drama, it reflects the emotions and mannerisms of modern American home life. The story concerns a wandering theatrical producer always looking for an angel to finance his productions. Because of this he becomes divorced from his wife and four children whom he still loves and visits whenever he is in town.

After a series of fast moving situations and smart dialogue between the feminine angel and nut composer the wife and producer are reconciled when he makes a new gold strike and moves to California in a clinch fadeout.

Adolphe Menjou gives a splendid performance as a roving producer with fine support from Betty Lawford, the angel; Doris Kenyon, as the wife; Joseph Cawthorn, as the nut composer, and Reginald Owen as a millionaire playboy pouring his attention on the divorced wife. They are well supported by four children, Charlotte Henry, Dick Winslow, George Ernst and Dickie Moore.

The production confines itself to telling a simple story rich in human qualities, with much credit due the author of the original, Christine Ames, and to Ernest Pascal and Eddie Buzzell for the treatment and for well modulated direction. Running time, 60 minutes.

U. S. Films Showing Increase in Berlin

(Continued from page 1)

Trade Commissioner George R. Canty in a report from Berlin to the U. S. Department of Commerce.

American films have been used in increasing numbers while those of German origin and "others of foreign origin" have been decreasing. During the season just closed the German product accounted for 61 per cent of the first run screenings, American features 26 per cent, and "other foreign" products, 13 per cent.

The total number of Berlin theatres in daily operation in April, 1934, was 384 with a total seating capacity of 192,854. The total attendance was 4,289,808, for which gross admissions to the tune of $1,308,015.54 were paid. Eight per cent of this was payable to the government in taxes.

Judges Order Cuts In Bankrupt Costs

(Continued from page 1)

other districts than in the western district of Missouri, of which Kansas City is a part, Judge Merrill E. Otis and Judge Albert L. Reeves have issued a joint statement calling attention to the situation here.

The largest bankruptcies, in point of assets and liabilities, now pending in the Federal district court are those of the Fox Rocky Mountain and Fox Midland companies.

The two Federal judges laid down rules of procedure in administering bankruptcies in the future. They asserted lawyers and others must make efforts to keep costs of administration down.

Judge Otis, in a recent public hearing into the high bankruptcy expenses, announced in open court that unless the expenses were reduced "this district might be embarrassed by a Congressional investigation."

"It should be the ambition of all officers to stand out for economy in bankruptcy administration," the statement declared, adding "costs must be reduced to the very minimum consistent with efficiency."

"We direct," the statement ordered, "that partial allowances to attorneys be not made in any case and that final allowances be made only upon such a petition and showing as general orders require."

It was further stated that claims for services rendered should be itemized.

Forestry Picture Out

WASHINGTON, Aug. 7.—The story of the Civilian Conservation Corps—its objects and accomplishments—is told by F. A. Silcox, of the U. S. Forest Service, in a one-reeler, "Forests and Men," recently issued by the U. S. Department of Agriculture. Prints are available.

Slight Hopes Seen for New Fox Met Bids

(Continued from page 1)

Jersey and, as these are inseparable from the remainder of the circuit, Warners will make no bid unless a second party or parties can be unearthed, willing to make a bid for the remainder of the 87. To date, no such bidders are known, although A. C. Blumenthal, broker, and Saul E. Rogers, attorney, are leading the search, and David W. Kahn, representing undisclosed interests, asserts he will have a bid of $3,000,000 ready in the event of a foreclosure sale.

Court Ready to Set Minimum

Federal Judge Julian W. Mack, who is presiding in the Fox Met proceedings, is prepared to set a minimum figure at which the circuit may be bought in at foreclosure and is understood to regard a bid of approximately $3,800,000 as the minimum acceptable. This would automatically eliminate the Kahn bid as it shapes up at present. The likelihood of Blumenthal and Rogers unearthing a bidder to complement the Warner offer for the Jersey houses is regarded as remote because of the product situation mentioned above. With first run product split between Loew's and RKO, Fox Met is relegated to a second run circuit in Manhattan, Brooklyn and Queens if acquired by an outsider. Even first run on Warners product, sold half and half to Loew's and RKO for next season, would not be available to Fox Met. Under these circumstances, those close to the situation see little likelihood of an outsider meeting the court's minimum cash terms for a second run circuit.

Why Warner Interest Persists

The Warner interest in the bidding persists because of the company's desire to entrench itself more firmly in the Jersey territory and also because sufficient product is still available for the situations involved to maintain the 18 Fox Met houses there as first runs.

The situation, at present, therefore, points to a reorganization of Fox Met either under the plan developed by the bondholders' committee, which continues Skouras and Randforce as operators, or under Section 77-B of the new bankruptcy laws. Fox Met is scheduled to make answer today to the minority bondholders' petition for the latter procedure. The court will rule on the petition within a few days thereafter and, if denied, reorganization will probably proceed under the bondholders' committee plan, possibly modified to meet the objections of Rogers and Archibald Palmer, attorney for minority holders.

Bolognino, Springer To Operate Circuit

(Continued from page 1)

of buying and booking with Al Suchman assisting.

Trio-Consolidated continues to book three Skouras houses on upper Broadway, the Nemo, Riverside and Riveria. Headquarters of Springer & Cocalis are being moved from the Symphony to the Bond Building.

The 1934-35 Motion Picture ALMANAC

¶ "Motion pictures are made of people, for people. Today people, from executive manpower to the glamorous stars and players of the screen, count more and more in the endless evolutions of the art and the industry."—*From a Foreword by Martin Quigley in the 1934-35 MOTION PICTURE ALMANAC.*

¶ *Ten thousand biographies form "The Grand Parade" of personalities in the new edition of the Almanac, now off the presses. This is the most comprehensive attempt ever made to present a study of the individuals who are the industry.*

¶ *Another departure is a presentation of the "all-time best sellers," from the criterion of rentals and sales, in the realms of the motion picture, books, stage plays, roadshows, songs, radio programs, and amateur plays.*

¶ *With the additional achievement of serving as a ready-at-hand guide for the new season, essential information is provided on motion pictures announced by the companies for 1934-35.*

¶ *Corporate structure of the industry is shown from the various standpoints of company personnel, banking affiliations, bond and capital stock, and summarized financial statements.*

¶ *For the practicable use of the exhibitor, more than 100 pages are allotted to information on the Motion Picture Code, including names and addresses of Code Authority and Local Board members, meeting places and dates, the text of the Code and a literal translation of its provisions.*

¶ *Naming of the contract players of the large companies is a new service in the section devoted to production. There is a complete listing, by companies, of current product, with stars, release dates and running time, also a compilation of motion pictures since the advent of sound, under two practicable subclassifications: pictures of 1933-34, and pictures prior to 1933.*

"Rothschild" Hits $29,250 In 2nd Week

"House of Rothschild" made by far the best showing along Broadway in its second week at the Rivoli, chalking up $29,250.

"Paris Interlude," at the Capitol, took a weak $20,000, in spite of the presence of Vincent Lopez and his orchestra. "Ladies Should Listen" had only $19,000 at the Paramount. "She Learned About Sailors" reached $23,200 at the Roxy, and "Here Comes the Navy" held up to $23,165 in its second week at the Strand.

Estimated takings:

Week Ending July 31:

"COCKEYED CAVALIERS" (Radio)
RIALTO—(2,300), 25c-65c, 7 days. **Gross:** $8,000.

Week Ending Aug. 1:

"HAT, COAT AND GLOVE" (Radio)
RADIO CITY MUSIC HALL—(5,945), 35c-$1.65, 7 days. Stage show. **Gross:** $62,200.

"HOUSE OF ROTHSCHILD" (U. A.)
RIVOLI—(2,200), 40c-99c, 2nd week, 7 days. **Gross:** $29,250.

Week Ending Aug. 2:

"PARIS INTERLUDE" (M-G-M)
CAPITOL—(4,700), 35c-$1.65, 7 days. Stage: Vincent Lopez and orchestra, Saxon Sisters and others. **Gross:** $20,000.

"OLD FASHIONED WAY" (Para.)
PALACE—(2,500), 25c-75c, 7 days. Vaudeville. **Gross:** $11,000.

"LADIES SHOULD LISTEN" (Para.)
PARAMOUNT—(3,700), 35c-99c, 7 days. Stage: Victor Young, Lee Wiley, Bob Crosby and others. **Gross:** $19,000.

"SHE LEARNED ABOUT SAILORS" (Fox)
ROXY—(6,200), 25c-55c, 7 days. Stage: Wesley Eddy and revue. **Gross:** $23,200.

"HERE COMES THE NAVY" (Warners)
STRAND—(2,000), 25c-$1.10, 2nd week, 7 days. **Gross:** $23,165.

Week Ending Aug. 6:

"FRIENDS OF MR. SWEENEY" (Warners)
MAYFAIR—(2,300), 35c-65c, 7 days. **Gross:** $10,000.

"Winters" $4,000 Draw in Portland

PORTLAND, Aug. 7.—"Life of Vergie Winters" came into Hamrick's Music Box at the end of the 10-week waterfront strike and brought real business back. The $4,000 take was over normal by $1,000.

"Jane Eyre" benefited from the book advertising and pulled just $100 over par, $2,100.

Total first run business was $21,400. Average is $22,000.

Estimated takings for the week ending Aug. 2:

"MERRY FRINKS" (F. N.)
"SIDE STREETS" (F. N.)
BROADWAY—(1,912), 25c-35c-40c, 7 days. **Gross:** $4,800. (Average, $5,000)

"LIFE OF VERGIE WINTERS" (Radio)
HAMRICK'S MUSIC BOX—(2,000), 25c-35c-40c, 7 days. **Gross:** $4,000. (Average, $3,000)

"THE KEY" (Warners)
"EMBARRASSING MOMENTS" (Univ.)
HAMRICK'S ORIENTAL—(2,040), 25c, 7 days. **Gross:** $2,000. (Average, $2,000)

"JANE EYRE" (Monogram)
PANTAGES—(1,700), 15c-25c, 7 days. Stage show. **Gross:** $2,100. (Average, $2,000)

"KISS AND MAKE UP" (Para.)
"CHARLIE CHAN'S COURAGE" (Fox)
PARAMOUNT—(3,000), 25c-35c-40c, 7 days. **Gross:** $4,800. (Average, $5,000)

"PARIS INTERLUDE" (M-G-M)
UNITED ARTISTS—(945), 25c-35c-40c, 7 days. **Gross:** $3,700. (Average, $5,000)

"Andy" Is $7,000 Indianapolis Wow

INDIANAPOLIS, Aug. 7.—"Handy Andy" just about ran away with all the business there was in town last week. It piled up $7,000 at the Apollo where the average is $2,500.

"The Old Fashioned Way" reached a par $4,000 at the Circle. "I Give My Love," with John Dillinger, Sr., and his family on the stage of the Lyric failed to stir up any box-office excitement. The take was $3,500.

Total first run business was $18,000. Average without the Lyric is $11,000.

Estimated takings for the week ending Aug. 4:

"HANDY ANDY" (Fox)
APOLLO—(1,100), 20c-40c, 7 days. **Gross:** $7,000. (Average, $2,500)

"THE OLD FASHIONED WAY" (Para.)
CIRCLE—(2,600), 25c-40c, 7 days. **Gross:** $4,000. (Average, $4,000)

"I GIVE MY LOVE" (Univ.)
LYRIC—(2,000), 25c-40c, 5 days. John Dillinger, Sr., and family on stage. **Gross:** $3,500.

"PARIS INTERLUDE" (M-G-M)
PALACE—(2,800), 25c-40c, 7 days. **Gross:** $3,500. (Average, $4,500)

"Baby" Hits $20,000 for Frisco's Top

SAN FRANCISCO, Aug. 7.—Business is still feeling the effects of the recent waterfront strike, but "Baby Take a Bow" pulled the Warfield out of the doldrums. The $20,000 take was over the line by $1,000.

"Of Human Bondage" held up to $12,000 in its second week at the Golden Gate, but elsewhere business was pretty bad.

Total first run business was $54,500. Average is $59,000.

Estimated takings:

Week Ending Aug. 1:

"OF HUMAN BONDAGE" (Radio)
GOLDEN GATE—(2,800), 25c-40c, 2nd week. Stage band. **Gross:** $12,000. (Average, $13,000)

"GRAND CANARY" (Fox)
"HERE COMES THE GROOM" (Para.)
PARAMOUNT—(2,670), 15c-65c, 7 days. **Gross:** $10,000. (Average, $12,000)

Week Ending Aug. 2:

"LOVE CAPTIVE" (Univ.)
"I CAN'T ESCAPE" (Beacon)
FOX—(4,600), 10c-25c, 7 days. **Gross:** 5,500. (Average, $7,000)

"HANDY ANDY" (Fox)
ST. FRANCIS—(1,400), 15c-65c, 7 days. **Gross:** $7,000. (Average, $8,000)

"BABY, TAKE A BOW" (Fox)
WARFIELD—(2,700), 25c-65c, 7 days. Stage: Vaudeville, band. **Gross:** $20,000. (Average, $19,000)

Roumanians Impose Heavy Footage Tax

BUCHAREST, Aug. 7. — A tax of seven cents per metre on films imported into the country has been voted by the Roumanian Parliament. Money derived from the impost will go toward a national film fund, which will be used to finance native production.

Distributors are gravely damaged by the tax, which means a great deal in Roumania because admission prices are very low and average profits or imports moderate as it is. They maintain that the tax will scarcely result in promoting domestic production but will certainly ruin distributors.

"Andy" Pulls Big $7,300, Oklahoma

OKLAHOMA CITY, Aug. 7. — Will Rogers' native state goes for his pictures in a big way. "Handy Andy" overcame the effects of the heat and nearly doubled the normal take of the Midwest with $7,300.

"Side Streets" also was strong, pulling $2,000 in four days at the Liberty.

Total first run business was $16,800. Average is $13,500.

Estimated takings for the week ending Aug. 4:

"MAN WITH TWO FACES" (F. N.)
CRITERION—(1,700) 10,-20c-36c-41c-56c, 7 days. **Gross:** $4,000. (Average, $5,000)

"HANDY ANDY" (Fox)
MIDWEST—(1,500), 10c-26c-36c-56c, 7 days. **Gross:** $7,300. (Average, $4,000)

"STINGAREE" (Radio)
CAPITOL—(1,200), 10c-20c-26c-36c-41c, 7 days. **Gross:** $2,500. (Average, $2,500)

"SIDE STREETS" (F. N.)
LIBERTY—(1,500), 10c-15c-26c-36c, 4 days. Stage show. **Gross:** $2,000. (Average week, $2,000)

"LOVE CAPTIVE" (Univ.)
LIBERTY—(1,500), 10c-15c-26c-36c, 3 days. **Gross:** $1,000. (Average week, $2,000)

"Canary" with Show Detroit Top, $19,800

DETROIT, Aug. 7.—"Grand Canary" with a stage show sent the Fox up to $19,800, which beats normal by $4,800.

"Here Comes the Navy" at the Michigan and "Bulldog Drummond Strikes Back" were both disappointing.

Total first run business was $46,700. Average is $55,000.

Estimated takings for the week ending Aug. 2:

"I GIVE MY LOVE" (Univ.)
"THUNDER OVER MEXICO" (State Rights)
FISHER—(2,975), 15c-50c, 7 days. **Gross:** $4,100. (Average, $10,000)

"GRAND CANARY" (Fox)
FOX—(5,100), 15c-50c, 7 days. Stage: Art Kassel and his famous Kassels in the Air, N. B. C. orchestra heading seven act stage show. **Gross:** $19,800. (Average, $15,000)

"HERE COMES THE NAVY" (Warners)
MICHIGAN—(4,100), 15c-50c, 7 days. Stage: Herb Williams, star of Vanities, and Pop-Eye, the Sailor. **Gross:** $17,000. (Average, $20,000)

"BULLDOG DRUMMOND STRIKES BACK" (U. A.)
UNITED ARTISTS—(2,070), 25c-50c, 7 days, 2nd week. **Gross:** $5,800. (Average, $10,000)

Staffs in K. C. Shift

KANSAS CITY, Aug. 7.—For many years Paramount booker here, Harry Hays has resigned to join Warners in a similar capacity. Dan McCarthy of Warners' booking staff has quit to go to Oregon.

Ralph LiBeau, Jr., has been promoted to the booking department at Paramount from ad sales, while M. E. Anderson takes over Hays' duties.

Buys Rittman Pastime

RITTMAN, O., Aug. 7—The Pastime here has been purchased by D. L. Schuman, Cleveland operator, who will remodel the house before reopening late this month.

"Baby" Pulls Washington's Top, $20,400

WASHINGTON, Aug. 7.—With one extra morning performance, "Baby, Take a Bow" brought $20,400 to Loew's Fox, a meager $100 under the average of $20,500. Stage show might have helped, but Shirley Temple's popularity is generally credited.

"Bulldog Drummond Strikes Back" drew $6,000 in its second week at Loew's Palace, while "Murder in Trinidad" at Loew's Columbia tumbled to $2,700.

The Earle took $15,600 with "Midnight Alibi" and a stage show, $2,000 under average, and the Metropolitan exceeded par for a gross of $4,200 for "Return of the Terror."

"Whom the Gods Destroy" was weak at $8,300. The revival of "Cimarron," which opened last Wednesday, took $4,400 on the first two days.

Total first run business was $57,200. Average is $71,200.

Estimated takings:

Week Ending Aug. 2:

"MIDNIGHT ALIBI" (F. N.)
EARLE—(2,218), 25c-77c, 7 days. Stage: Hal Leroy & Barbara McDonald, Four Cards, Hall & Dennison, Don Cummings, Stewart Sisters. **Gross:** $15,600. (Average, $17,600)

"MURDER IN TRINIDAD" (Fox)
LOEW'S COLUMBIA—(1,265), 25c-40c, 7 days. **Gross:** $2,700. (Average, $3,100)

"BABY, TAKE A BOW" (Fox)
LOEW'S BOX—(3,434), 25c-66c, 7 days (plus one extra morning show). Stage: Phil Harris & Orchestra, Charlie Foy & Co., Sammy Lewis & Patti Moore, France & LaPell. **Gross:** $20,400. (Average, $20,500)

"BULLDOG DRUMMOND STRIKES BACK"
LOEW'S PALACE—(2,390), 35c-77c, 7 days, 2nd week. **Gross:** $6,000. (Average, $14,500)

"RETURN OF THE TERROR" (F. N.)
METROPOLITAN—(1,591), 25c-40c, 7 days. **Gross:** $4,200. (Average, $4,100)

Week Ending July 31:

"WHOM THE GODS DESTROY" (Col.)
RKO-KEITH'S—(1,830), 25c-55c, 7 days. **Gross:** $8,300. (Average, $11,400)

Hold "Navy" on Coast

LOS ANGELES, Aug. 7.—"Here Comes the Navy" is being held over for a second week at both the Warner Hollywood and Downtown Theatres. This is considered exceptional for this time of the year with excessive heat prevailing.

15th ANNUAL
Convention
AND EASTERN REGIONAL
CONFERENCE OF
INDEPENDENT EXHIBITORS
•
ALLIED
THEATRE OWNERS
OF NEW JERSEY, Inc.
•
ATLANTIC CITY
HOTEL RITZ-CARLTON
AUGUST 22, 23, 24
•
Independent exhibitors in all territories are invited to attend and enjoy full convention privileges.

The Leading Daily Newspaper of the Motion Picture Industry

MOTION PICTURE DAILY

Alert, Intelligent and Faithful Service to the Industry in All Branches

VOL. 36. NO. 33 — NEW YORK, THURSDAY, AUGUST 9, 1934 — TEN CENTS

Warn Appeals To NRA Need Solid Basis

Darrow Board Successor Sets Up Work Formula

WASHINGTON, Aug. 8.—Initiating its investigation of complaints against codes and the National Recovery Administration, the Industrial Appeals Board, successor to the Darrow board, has served warning upon independent units of all industries that solid bases for complaints will be required before they will be heard, it was revealed today.

"The board is not a forum for a general repetition of arguments respecting the forms of codes or code provisions which have already been discussed in public hearings," it was

(Continued on page 9)

Contract Changes Arouse K.C. Board

KANSAS CITY, Aug. 8.—Whether distributors have the right to alter a license agreement to help an exhibitor comply with the local grievance board's demands after he had been found guilty of a contract violation is a question to be passed on to Code Authority by the Kansas City board.

The problem, considered by board members a highly important one,

(Continued on page 9)

Rosenblatt Extends Power of Donovan

LOS ANGELES, Aug. 8.—Upon Sol A. Rosenblatt's departure by plane this afternoon for San Francisco, where he entrained for Washington tonight, it was revealed that Major James O. Donovan had been given a blanket assignment to cover all code committees on the coast as advisor and direct representative of the division administrator here.

Rosenblatt's 10-day mission here

(Continued on page 3)

Tasker Is Named to Top SMPE Nominees

Homer G. Tasker of the United Research Corp. has been nominated for the presidency of the S. M. P. E. The election will be held by mail ballot.

Other nominations are: Executive vice-president, Emery Huse; editorial vice-president, J. I. Crabtree; convention vice-president, W. C. Kunzmann; secretary, J. H. Kurlander; treasurer,

(Continued on page 8)

U. A. Loses in First Vote on Cancellations

Appeal Committee Action Up to Campi Today

United Artists has lost the first round in a test case involving 10 per cent cancellations.

An appeal committee, comprising William Kupper, western division manager for Fox; Charles L. O'Reilly, head of the T.O.C.C., and Leon Rosenblatt, New Jersey and Staten Island circuit owner, on Tuesday heard the complaint of H. R. Evans of the Albion, Albion, Ind., on the issue and voted unanimously in favor of the exhibitor. Edward Raftery, attorney, defended U. A., and the exhibitor was not present.

With the complainant absent, the board unanimously accepted the minutes of the case from the Indianapolis grievance board. According to the minutes, the exhibitor was offered 26 pictures and purchased them all. Later, it was said, U. A. withdrew one film from the deal.

In deciding in favor of the complainant, the board held, it was stated, that U. A.'s defense that all pictures were sold on individual contracts was a technicality and that

(Continued on page 9)

Para. Revamping Up At a Hearing Today

Authority to proceed with steps toward reorganizing Publix-Salt Lake Theatres, the Toledo Paramount Corp. and G.-B. Theatres Corp. of New England will be sought today by Paramount Publix trustees at a hearing before Referee John E. Joyce.

Petitions to be heard ask court authorization for Famous Theatres Corp., Paramount subsidiary, to purchase a participating stock interest in Publix Salt Lake under terms of an operating partnership with Louis Marcus; to purchase a debenture issue of G-B Theatres in accordance

(Continued on page 8)

Hot Stuff

An unprecedented heat wave in the deep south has had its effect on theatre and other business in that section, Ed Kuykendall, M.P.T.O.A. president, just up from New Orleans, reported yesterday.

"It's been so hot there," Kuykendall said, "that the water in the Louisiana watermelons has been transformed to steam by the sun, and the melons have been exploding all over the countryside, frightening the colored hands out of the fields."

ITOA's Move To Drop Duals Meets Setback

The I.T.O.A.'s move to drop doubles in the local territory has been tabled for the time being. The issue, principal topic of the organization's meeting at the Astor yesterday, drew support of most of the members. About 60 attended.

Harry Brandt, president of the unit, told members that some time ago the major circuits asked him if the local theatre owners would drop twin bills with certain provisions. The I.T.O.A. head asked what the conditions were but the circuits would not reveal them, he said.

A meeting of circuit heads was

(Continued on page 9)

Free Shows by PWA Stir Ire of ITOA

Charging that free plays sponsored by the Works Division of the Department of Public Welfare are crippling neighborhood theatre business, the I.T.O.A. plans to protest continuation of the shows on their present policy,

(Continued on page 9)

Mid-Summer Grosses Hit New Low in 22 Key Spots

Mid-summer weather, West Coast strikes and midwest drought hit grosses hard during the last two weeks of July in the 22 cities for which weekly reports are compiled by MOTION PICTURE DAILY.

Total grosses for 110 theatres reporting during the week ending July 19 and 20 were $919,932, a new low mark for the 44 weeks starting last September. It was also a low mark

(Continued on page 8)

MPTOA Duals Stand Coming Up at Chicago

Board May Modify Policy In Competitive Spots

M.P.T.O.A.'s plans for future action against double featuring will be decided at a meeting of the executive committee of the organization which will probably be held in Chicago late this month, Ed Kuykendall, M. P. T. O. A. president, said yesterday on his arrival here from New Orleans.

Kuykendall stated that the organization was "unalterably opposed" to double featuring in competitive situations, but indicated that a modification of its attack on duals was a possibility if a review of anti-duals activity to be made at the executive committee meeting reveals instances of

(Continued on page 9)

Peace Expected in K. C. Theatre War

KANSAS CITY, Aug. 8.—The decision of Loew's, Paramount and RKO to increase prices here from 25 cents to 40 cents after 6 P. M. within the next three weeks coincidentally with the elimination of dual bills is regarded as certain of bringing peace by Sept. 1 in the price war which has

(Continued on page 9)

Chadwick Here for Clearance Hearing

I. E. Chadwick, independent producer, is in town from the coast to attend today's Campi session.

His mission is on behalf of independent producers and coast exchange men who are vitally interested in the Milwaukee clearance and zoning schedule, which has a penalty clause in it for exhibitors playing duals.

The Los Angeles zoning schedule also has a double feature penalty clause similar to the Milwaukee setup.

Chadwick plans to fly back over the week-end so that he can be on hand for the wedding of his son, Lee, who will be married Aug. 19.

Campi Will Act on Dual Penalty Today

With S. R. Kent acting as chairman and Nicholas M. Schenck, Harry M. Warner, Ed Kuykendall, R. H. Cochrane, George Schaefer, William P. Farnsworth, Charles L. O'Reilly,

(Continued on page 9)

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Back from Jersey Picnic

Employes of the Warner New Jersey theatre division, headed by Don Jacocks and Frank Damis, have just completed a two-day picnic at Bertrand's Island at Lake Hopatcong, N. J. Several exchange heads including Max Cohen of Universal attended.

Zukor Heading West

Adolph Zukor plans to return to the coast either today or tomorrow, depending upon his ability to clear up work on hand here. Zukor expects to remain at the Paramount studio until after Labor Day.

Donahue & Coe Expand

The advertising firm of Donahue & Coe, which has been occupying the entire 21st floor of the Paramount Building since November of last year, has taken additional space on the 22nd floor.

Oppose Dillinger Act

St. Louis, Aug. 8.—The executive committee of the Better Films Council has voted to oppose the appearance of the Dillinger family at any theatre here.

"Wimpole Street" First

"The Barretts of Wimpole Street" will precede "The Merry Widow" at the Astor. M-G-M plans to open the first picture the latter part of the month, probably Aug. 31.

St. Louis Proposes 10% Theatre Levy

St. Louis, Aug. 8.—Latest proposal to come before the Bi-Partisan Special Tax Commission is a 10 per cent tax on the gross of all theatres. It is a part of the study being made to increase municipal revenue by $4,450,000. It is figured this tax would raise $400,000.

The plan came close to adoption at the last meeting of the commission, but one member objected that a graduated scale might be better and also suggested that smaller neighborhood houses be exempted.

The commission is already considering a proposal to raise theatre license fees to the following scale: $150 for up to 2,000 seating capacity; $250 for 2,000 to 3,000, and $400 for more than 3,000.

Hardwicke New Head Of Ontario Censors

Toronto, Aug. 8.—J. B. Hardwicke, one of the three remaining members of the Ontario censor board, has been named acting chairman at a salary of $1,800 per year. The salary of the former chairman was $3,300.

Under the economy wave the board has been placed under the Department of Education, as advocated by teachers and preachers for years on the ground that education authorities know what films are good for juveniles.

Heinman, Graham on Job for Gommersal

William Heinman, western district manager, and Harry Graham, midwest district head for Universal, are in town to temporarily take over the duties of E. T. Gommersal, western sales manager, who is recovering from an operation at the Joint Diseases Hospital.

Gommersal recently fell from a horse and cracked two vertebrae.

Hudson Joins Trendle

Earl Hudson has been made publicity and exploitation head of the George Trendle theatres in Detroit and has left New York to take over the post. Hudson formerly served in a production capacity with First National and was assistant to J. D. Williams when the latter was general manager of the company. He was also associated with the Angus Co. in the publication of *Motion Picture News.*

California Drive In Theatre Is Started

Hollywood, Aug 8.—Work started at Westwood today on the outdoor Drive In Theatre, which will be the second of its kind in the country, the other being already in operation at Camden, N. J. The theatre will accommodate 500 cars, arranged in terraces in such a manner that motorists will be able to hear and see with the windows of their machines closed.

The theatre is being built by a new corporation, California Drive In Theatres, Inc., headed by Guy Douthwaite, former Hollywood theatre operator. Should the venture prove successful, the company will construct similar theatres throughout the state.

Curran Gets First Quigley Award Here

Charles W. Curran, Strand Theatre, is the first New Yorker to win one of the Quigley awards. He gets the July honors for his work on "Here Comes the Navy," by decision of Neil F. Agnew of Paramount, J. R. Vogel of Loew's and Mort Blumenstock of Warners, acting as judges for the Managers' Round Table Club of the *Motion Picture Herald.*

Honorable mention goes to P. DeCamac, manager of the Globe, Calcutta, India, for his work on "Queen Christina," and A. Frank, manager of the Lyric, Camden, for his campaign on "Circus Clown."

St. Louis Shubert Opening Is Delayed

St. Louis, Aug. 8.—Opening of the Shubert by Warners has been set back from Aug. 18 to Sept. 1, it is understood. Installation of a cooling system and rearrangement of the seats is understood to be planned.

Joseph Bernhard, head of Warner theatres, and M. A. Silver, division manager, are due here in a few days.

At that time plans will also be set for opening of the Orpheum.

Seeks Slogan for "Gab"

Universal is offering prizes for a slogan for "Gift of Gab," which is scheduled for release on Sept. 3. The contest is open to exhibitors and advertising men. Slogans must not be over six words and must be postmarked on or before Aug. 20. Fifty dollars will be the first prize, with a second prize of $25 and five other prizes of $5 each. Duplicate prizes will be awarded in the event of a tie.

Most on Big Board Advance

	High	Low	Close	Net Change	Sales
Columbia Pictures, vtc	26⅛	24⅝	26⅛	+1⅞	200
Consolidated Film Industries	2½	2½	2½	— ¼	100
Eastman Kodak	97¾	97¼	97¾	+ ⅞	400
Fox Film "A"	10½	10	10½	+ ½	100
Loew's, Inc.	26¼	24½	26	+1½	2,400
Loew's, Inc., pfd	86⅜	86⅜	86⅜	+ ⅜	100
Paramount Publix, cts	3⅛	3	3	.....	300
Pathe Exchange	1⅛	1	1⅛	.....	600
Pathe Exchange "A"	13⅝	13½	13⅝	+ ⅜	200
RKO	1⅞	1⅞	1⅞	+ ⅛	200
Universal Pictures, pfd	31	31	31	+1	20
Warner Bros.	3⅞	3⅝	3⅞	+ ⅜	700

Loew's Bonds Move Upward

	High	Low	Close	Net Change	Sales
General Theatre Equipment 6s '40	5½	5½	5½	— ⅛	5
General Theatre Equipment 6s '40, ctf	6	6	6	+ ¾	3
Loew's 6s '41, ww deb rights	102	101½	102	+ ¾	4
Paramount Publix 5½s '50	39⅞	39⅞	39⅞	— ⅛	2
Warner Bros. 6s '39, wd	52¾	52¾	52¾	— ¾	1

Purely Personal

John C. Flinn, William Ferguson, Lou Weiner, O. P. Waxman, William Frankel, Ben Kresner, J. D. Tropp, Phil Reisman, Herbert Ebstein, Sam Rinzler, Charles Sonin and J. Ebstein lunched at the M. P. Club yesterday.

Josephine Dunn has been signed by Educational for a role in the new Ernest Truex comedy which goes before the cameras at the Eastern Service Studios in Astoria today.

Harold Lloyd will arrive in New York Saturday morning on the 20th Century. He will attend the opening of "The Cat's Paw" at the Music Hall next Thursday.

Ted Lewis will present the Lewis Trophy to the winner of the featured greyhound race at the Long Branch Kennel Club tonight.

Russell Spaulding, associated with the Van Beuren Corp., is expected in town some time next week from Canada.

W. G. Van Schmus, managing director of the Music Hall, returns today on the *Manhattan* after a two-week talent hunt through Europe.

Sophie Tucker, who has been appearing in Europe since last spring, sails for home aboard the *Washington* on Aug. 16.

Edward Burke, manager of the Roxy, is back from a week's auto tour of Canada.

Phil Reisman sails for a tour of RKO European exchanges on Saturday.

Ed Kuykendall plans to leave for home this week-end by boat to New Orleans.

Willy Castello, Dutch actor, gets in on the *Statendam* Saturday. He is on his way to Universal City.

Dave Diamond flies to the coast either today or tomorrow.

Sam Krellberg hies to the coast any day now.

William Fitelson left for Detroit last night on a brief business trip.

M. J. Kandel is en route to Europe.

Para.-Warner Deal On

Product negotiations are on between Paramount and Warners whereby the latter will play the former's 1934-35 pictures over the entire circuit. William Erbb, district manager for New England; Percy Block, Philadelphia district head, and Al Kane, New Haven Paramount manager, are in town working on the deal.

Hackell in from Coast

William Hackell, producer of Bob Steele westerns, is in town. He has already completed the first of eight to be distributed next season by state righters.

Grossman Merges Houses

Henry Grossman, owner of the Playhouse and Park in Hudson, N. Y., has merged with the Star, same city.

"Backfire" Is New Title

Hollywood, Aug 8.—Warners have retitled "Boulder Dam" and the picture will be released as "Backfire."

"Let's Talk," Show, $7,200 Draw in K.C.

Kansas City, Aug. 8.—The Tower hit a new high with a take of $7,200 on a combination bill consisting of "Let's Talk It Over" and a stage show. The stage presentation and bookings at this house have shown continuous improvement, and as the only house in town with shows this summer business has built steadily.

Other first runs were below par in what was decidedly an off week. The Midland led straight film draws with $8,100, "Paris Interlude" being the attraction.

Total first run business for five houses was $27,900. Average is $31,000.

Estimated takings:

Week Ending Aug. 2:

"WHOM THE GODS DESTROY" (Col.)
"FOG OVER FRISCO" (F. N.)

MAINSTREET—(3,100), 25c, 7 days, plus Saturday late show. **Gross:** $4,900. (Average, $6,000)

"PARIS INTERLUDE" (M-G-M)

MIDLAND—(4,000), 25c, 7 days, plus Saturday midnight show. **Gross:** $8,100. (Average, $10,000)

"MURDER IN TRINIDAD" (Fox)
"KISS AND MAKE UP" (Para.)

NEWMAN—(1,800), 25c, 7 days, plus Saturday late show. **Gross:** $4,300. (Average, $5,500)

"LET'S TALK IT OVER" (Univ.)

TOWER—(2,200), 25c, 7 days, plus Saturday midnight show. Stage: "Hill Billy Hilarity" revue, featuring Fritzi & Her Mountaineers, Bronson & Renee, Walter & Iris LaMarr, Lucille Jackson, Bertay Sisters, Bliss & Ash. Lorna Wolfe, Lester Harding, m. c. **Gross:** $7,200. (Average, $6,000.) (Previous averages, $5,000, $5,500)

Week Ending Aug. 3:

"GRAND CANARY" (Fox)

UPTOWN—(2,000), 25c, 7 days. **Gross:** $3,400. (Average, $3,500)

Big Pictures Hit By Montreal Heat

Montreal, Aug. 8.—Local houses had an array of attractions last week, but it was just too hot for most people to do anything but sit out on the front porch. The Capitol had "Scarlet Empress" and "The Old-Fashioned Way" and the take of $7,000 was some kind of a record, but the wrong kind.

"Handy Andy" and "Now I'll Tell" brought $6,500 to the Palace. Next to the right was Loew's with $5,000 on "She Learned About Sailors" and "Call It Luck."

Total first run business was $26,500. Average is $43,000.

Estimated takings for the week ending Aug. 4:

"THE SCARLET EMPRESS" (Para.)
"THE OLD FASHIONED WAY" (Para.)

CAPITOL—(2,547), 25c-35c-40c-50c-60c, 7 days. **Gross:** $7,000. (Average, $9,000)

"IT'S A BOY" (British)

IMPERIAL—(1,914), 25c-40c-50c, 7 days. Stage: Jean LaRea; Alene & Evans; Ryan & Dell; Miss Warner; The Blonde Steppers; Laing Bros. & Newton; Ray Richman. **Gross:** $3,500. (Average, $6,500)

"SHE LEARNED ABOUT SAILORS" (Fox)
"CALL IT LUCK" (Fox)

LOEW'S—(3,115), 25c-35c-50c-65c, 7 days. **Gross:** $5,000. (Average, $10,500)

"HANDY ANDY" (Fox)
"NOW I'LL TELL" (Fox)

PALACE—(2,600), 25c-35c-50c-60c-75c, 7 days. **Gross:** $6,500. (Average, $11,000)

"THE HOUSE OF ROTHSCHILD" (U. A.)
"MOST PRECIOUS THING IN LIFE" (Col.)

PRINCESS—(2,272), 25c-35c-50c-65c, 7 days. **Gross:** $4,500. (Average, $6,000)

Rosenblatt Extends Power of Donovan

(*Continued from page* 1)

was to clarify for the actor-writer and agency five-five committees various problems of the fair practice code now being formulated and which Rosenblatt believes will be settled and in operation no later than Sept. 1.

Rosenblatt also stated that, inasmuch as employers cannot lock out employes and employes cannot strike under the code, he had appointed Jefferson Davis, a member of the studio labor board, as an outside arbitrator in the labor dispute between the Alhambra Theatre and musicians.

Under the added power given him, Donovan has enlarged code headquarters here and has doubled the personnel.

L.A. Board to Push Work

Los Angeles, Aug. 8.—With 98 complaints yet to be settled, the clearance board goes into action again tomorrow morning with an open meeting. It hopes to clear all cases by Saturday night.

Breen O.K.'s West Film

Hollywood, Aug. 8.—Joseph I. Breen has given the new Mae West film, "Belle of the Nineties," a seal of purity after several weeks of remaking.

McGrail Reaches Coast

Hollywood, Aug. 8.—John McGrail of the New York Hays office arrived here today to assist in the work of passing on advertising and stills.

"Bulldog" Is Pittsburgh's Best Grosser

Pittsburgh, Aug. 8.—The Penn snared everything in town last week with "Bulldog Drummond Strikes Back," getting $16,000 for the best straight-picture takings here since "The House of Rothschild."

Total grosses in three first run houses were $26,600. Average is $26,000.

Estimated takings for the week ending Aug. 4:

"BULLDOG DRUMMOND STRIKES BACK" (U.A.)

PENN—(3,300), 25c-50c, 6 days. **Gross:** $16,000. (Average, $12,000)

"MIDNIGHT ALIBI" (Warners)

STANLEY—(3,600), 25c-50c, 6 days. **Gross:** $6,000. (Average, $9,000)

"WHOM THE GODS DESTROY" (Col.)
"FRIENDS OF MR. SWEENEY" (Warners)

WARNER — (2,000), 25c-40c, 6 days. **Gross:** $4,600. (Average, $5,000)

Opening of Waldorf Lifts F. & R. to 47

With the opening of the new Waldorf, 700-seat house in Brooklyn, Aug. 31, Frisch & Rinzler will have a total of 47 houses in the circuit. Another house is being negotiated for by F. & R. and it is expected it will be added to the group shortly.

Product deals have been closed with M-G-M and Fox for the new season which discounts reports the circuit would be relegated to second run.

"Loves Me" Is Hit on Coast With $24,716

Los Angeles, Aug. 8.—Box-offices are holding up in spite of a heavy heat wave. "She Loves Me Not," with a stage show at the Paramount, piled up an unusual $24,716, topping average by $6,716.

"Here Comes the Navy" did so well at Warners' Downtown and Hollywood that it was held over in both spots. The take at the former was $13,000 and at the latter $14,000.

Total first run business was $70,416. Average is $69,200.

Estimated takings for the week ending Aug. 8:

"THE GIRL FROM MISSOURI" (M-G-M)

LOEW'S STATE—(2,413), 30c-55c, 7 days. **Gross:** $11,000. (Average, $14,000.)

"SHE LOVES ME NOT" (Para.)

PARAMOUNT—(3,595), 30c-55c, 7 days. Stage: F. & M. revue with Murray Lane, Willock & Carson. **Gross:** $24,716. (Average, $18,000.)

"WHOM THE GODS DESTROY" (Col.)

RKO—(2,700), 25c-40c, 7 days. **Gross:** $3,500. (Average, $8,000.)

"HERE COMES THE NAVY" (Warners)

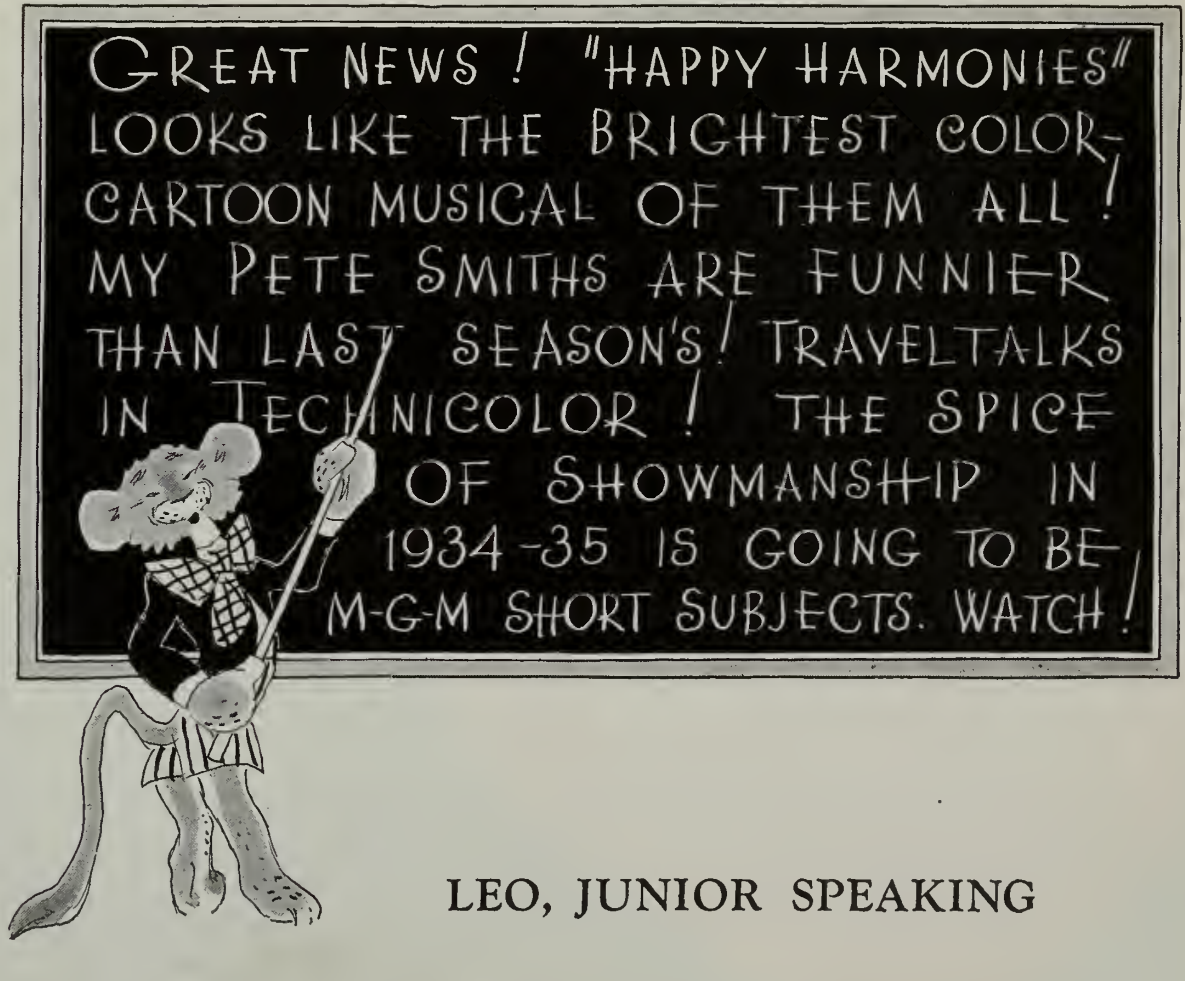
WARNER BROS. (Hollywood)—(3,000), 25c-55c, 7 days. **Gross:** $13,000. (Average, $14,000.)

"HERE COMES THE NAVY" (Warners)

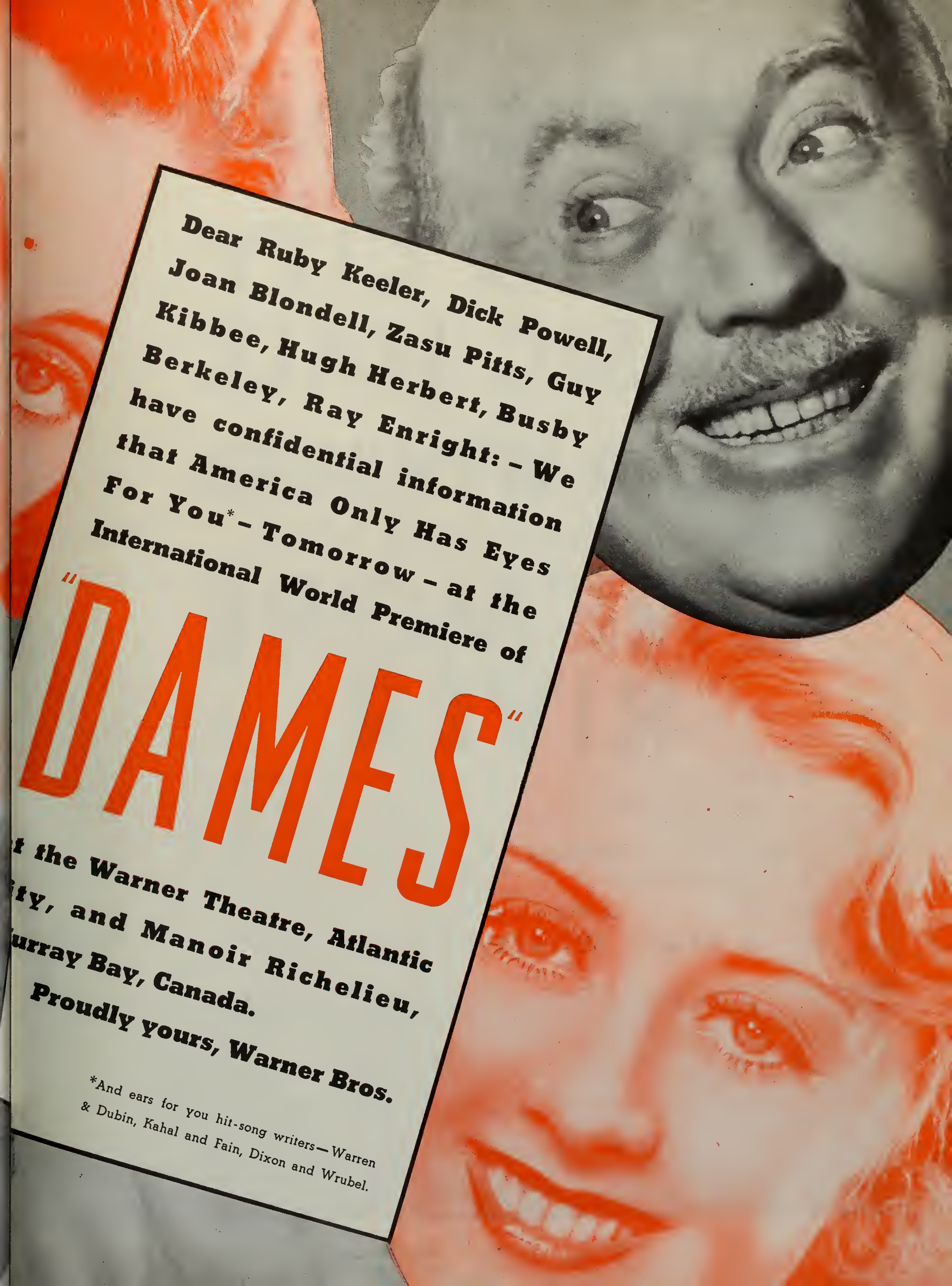
WARNER BROS. (Downtown) — (3,400), 25c-55c, 7 days. **Gross:** $14,000. (Average, $12,000.)

"SHE LEARNED ABOUT SAILORS" (Fox)
"MURDER IN THE PRIVATE CAR" (M-G-M)

PANTAGES—(3,000), 25c-40c, 7 days. **Gross:** $4,200. (Average, $3,200.)


GREAT NEWS! "HAPPY HARMONIES" LOOKS LIKE THE BRIGHTEST COLOR-CARTOON MUSICAL OF THEM ALL! MY PETE SMITHS ARE FUNNIER THAN LAST SEASON'S! TRAVELTALKS IN TECHNICOLOR! THE SPICE OF SHOWMANSHIP IN 1934-35 IS GOING TO BE M-G-M SHORT SUBJECTS. WATCH!

LEO, JUNIOR SPEAKING



Dear Ruby Keeler, Dick Powell, Joan Blondell, Zasu Pitts, Guy Kibbee, Hugh Herbert, Busby Berkeley, Ray Enright: – We have confidential information that America Only Has Eyes For You* – Tomorrow – at the International World Premiere of

"DAMES"

t the Warner Theatre, Atlantic ity, and Manoir Richelieu, urray Bay, Canada.

Proudly yours, Warner Bros.

*And ears for you hit-song writers—Warren & Dubin, Kahal and Fain, Dixon and Wrubel.

OPENING TODAY

at the world's finest theatre—

RADIO CITY MUSIC HALL

●

DIANA WYNYARD

in John Galsworthy's Best Seller—

ONE MORE RIVER

- ★ **COLIN CLIVE**
- ★ **FRANK LAWTON**
- ★ **JANE WYATT**
- ★ **MRS. PATRICK CAMPBELL**
- ★ **LIONEL ATWILL**
- ★ **REGINALD DENNY**
- ★ **C. AUBREY SMITH**
- ★ **HENRY STEPHENSON**
- ★ **KATHLEEN HOWARD**
- ★ **ALAN MOWBRAY**

A Universal Picture

A JAMES WHALE PRODUCTION

Little Is Revealed in Census Bureau Study

WASHINGTON, Aug. 8.—Issuance by the Census Bureau today of its report on amusements in 1933 proved a sad disappointment to the industry when it was found that the report covered amusements, service operations such as filling stations, barbers and shoe shine parlors and business services such as advertising agencies and dental laboratories.

The figures for more than a dozen different types of activities were lumped together with no information whatever furnished regarding any individual business.

With characteristic speed the bureau promises that a breakdown of the report, showing amusements separately, will be available "in the near future," officials stating that this meant late in October or early in November.

Tasker Is Named to Top SMPE Nominees

(Continued from page 1)

T. E. Shea; board of governors, Max C. Batsel, Sidney K. Wolf, Terry Ramsaye and Harry Rubin.

Results of the election will be announced at the fall meeting Oct. 29. The new officers will assume their duties Jan. 1.

DeMille Is Off Today

HOLLYWOOD, Aug. 8.—Cecil B. De Mille starts his transcontinental speaking tour at Denver Friday. He leaves here tomorrow. The Denver talk will be sponsored by the Outdoor University. The second talk will be in Kansas City Sunday at the Community Church. He will fly from there to New York and speak at Teachers' College, Columbia University, on the 15th.

Blank-Warners Argue

OMAHA, Aug. 8.—A. H. Blank's Tri-States Theatres here are at loggerheads with Warners over which of the Blank houses will show "Here Comes the Navy." Tri-States contends the picture should play the World, where all James Cagney films have been shown; Warners maintain the picture rates the Tri-States ace house, the Orpheum. To date the controversy remains unsettled.

Chevalier Going Abroad

HOLLYWOOD, Aug. 8.—Maurice Chevalier winds up work on "The Merry Widow" at M-G-M this week and leaves Sunday for New York and Paris. He will return shortly to start a new long termer with the studio.

Monogram Men in Town

Four Monogram franchise holders are in town for conferences with Edward Golden, general sales manager. They are Herman Rifkin, Boston; Claude Ezell, Dallas; Irving Mandell, Chicago; Bernard Mills, Albany.

Mark Ostrer Delays Trip

LONDON, Aug. 8.—Mark Ostrer, who planned to sail on the *Berengaria* today to meet Jeffrey Bernerd in New York, canceled reservations the last minute and expects to sail within the next few days.

Mid-Summer Grosses Hit New Low in 22 Key Spots

(Continued from page 1)

for the number of first run houses open.

During the week ending July 26 and 27 there was a slight improvement, the total reaching $998,285.

Comparative grosses for the latest available periods:

	Week Ending July 26-27		*Week Ending July 19-20*	
	No. Theatres	Gross	No. Theatres	Gross
Boston	6	$82,000	6	$82,000
Buffalo	5	26,700	5	29,400
Chicago	6	114,000	7	112,500
Cleveland	4	32,500	5	37,600
Denver	5	15,700	5	17,250
Detroit	4	53,800	4	53,300
Indianapolis	4	17,500	4	16,000
Kansas City	5	32,400	5	33,400
Los Angeles	7	70,615	7	65,451
Minneapolis	5	17,000	5	19,500
Montreal	5	28,500	5	27,500
New York	9	206,220	8	173,581
Oklahoma City	4	12,600	4	12,300
Omaha	3	18,750	4	23,950
Philadelphia	6	38,600	6	43,300
Pittsburgh	3	37,000	3	22,800
Portland	6	20,000	6	20,400
Providence	5	19,950	5	25,200
San Francisco	5	54,700	***	.....
St. Paul	4	15,500	4	16,000
Seattle	6	26,150	6	30,800
Washington	6	58,100	6	57,700
	113	$998,285	110	$919,932

Comparative grosses compiled from day-to-day reports for 44 weeks show this:

Week Ending	*Theatres*	*Grosses*
September 29-30, 1933	135	$1,342,710
October 6-7	141	1,417,886
October 13-14	143	1,544,838
October 20-21	141	1,581,308
October 27-28	143	1,509,422
November 3-4	142	1,500,740
November 10-11	141	1,379,560
November 17-18	144	1,375,132
November 24-25	141	1,431,209
December 1-2	141	1,418,753
December 8-9	142	1,558,832
December 15-16	139	1,221,032
December 22-23	133	1,071,457
December 29-30	138	1,433,289
January 5-6, 1934	136	1,714,824
January 12-13	138	1,435,649
January 19-20	136	1,305,267
January 26-27	135	1,348,517
February 2-3	135	1,338,371
February 9-10	135	1,270,345
February 16-17	136	1,317,011
February 23-24	136	1,316,421
March 2-3	135	1,350,548
March 9-10	134	1,378,865
March 16-17	133	1,302,020
March 23-24	128	1,291,695
Marsh 30-31	134	1,247,322
April 6-7	135	1,571,695
April 13-14	132	1,360,061
April 20-21	135	1,342,151
April 27-28	133	1,307,764
May 3-4	134	1,256,631
May 10-11	133	1,250,702
May 17-18	133	1,260,655
May 24-25	133	1,209,381
May 31-June 1	132	1,209,113
June 7-8	128	1,123,764
June 14-15	125	1,111,432
June 21-22	127	1,173,017
June 28-29	124	1,076,284
July 5-6	121	1,084,997
July 12-13	116	1,041,876
July 19-20	110	919,932
July 26-27	113	998,285

*** During the general strike in San Francisco, theatres were closed from July 16 to July 19. Therefore, no report is entered for the week.

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Para. Revamping Up At a Hearing Today

(Continued from page 1)

with terms of an operating deal with Goldstein Brothers, and to buy up landlords' claims arising from the sub-leasing of the Toledo Paramount Corp.

Also to be heard today is a petition for Paramount Publix and certain subsidiaries to participate in the bondholders' plan of reorganization for Paramount-Broadway Corp., the subsidiary which holds title to the Paramount Building.

Ontario Studio Is Offered as Bargain

TORONTO, Aug. 8.—The film studio of the Ontario government at Trenton, Ont., built at a cost of $700,000, is being offered for sale at a bargain price. Premier Hepburn asserts Ontario has spent $1,600,000 on production and cannot any longer afford the luxury. Films now in the vaults will be loaned wherever wanted.

Turner on Big Campaign

COLUMBUS, O:, Aug. 8.—Terry Turner, for the past 10 weeks in charge of publicity for the RKO Palace and Majestic here, has resigned to take over advertising and publicity for the film campaign of Quaker Oats, sponsored by Lord & Thomas.

Turner previously did advertising and publicity for Loew's and later was in the RKO home office.

Mascot Signs Manheim

HOLLYWOOD, Aug. 8.—Mascot has signed H. Manheim, former Universal press agent, to a writing contract and he has been assigned to the Ken Maynard script, "Down in Old Santa Fe." At the same time Dave Howard was set for the director's post on the film.

Simmons Does Another

HOLLYWOOD, Aug. 8.—Mike Simmons, Columbia scrivener, has turned in a first draft on "Carnival," the Robert Riskin yarn, and has been assigned to write the screen play on "Murder Island," a story by Leland Jamieson.

Two Units on "Toyland"

HOLLYWOOD, Aug. 8.—Hal Roach is working two units on "Babes in Toyland," having signed Charley Rogers to direct Laurel and Hardy sequences. Gus Meins is directing the major part of the film.

Loew's in Rockaway Spot

Loew's has invaded the Far Rockaway territory in opposition to RKO by acquiring the Gem from Haring & Blumenthal. The Gem is a 600-seat house. RKO has the Columbia and Strand.

Retitle M-G-M Short

HOLLYWOOD, Aug. 8.—M-G-M has changed the title of their current Technicolor short, "Beauty and Truth" to "The Spectacle Maker."

Bert Levine Joins Roach

HOLLYWOOD, Aug 8.—Bert Levine, former Radio writer, has joined the Hal Roach writing staff. He has received no definite assignment.

Warn Appeals To NRA Need Solid Basis

(Continued from page 1)

declared by Chairman Amos J. Peaslee, "but its jurisdiction does permit it to hear upon appeal evidence respecting the actual operation in practice of any particular code provision and to recommend, if it deems desirable, changes in such provisions."

Only 15 cases have been found out of dozens already filed which merit serious consideration, the chairman asserted. Many complaints, he added, are based on apparent misunderstandings of code provisions easily cleared by correspondence or conference, while others disclosed that the complainants had not yet availed themselves of their right to seek relief through agencies already established.

The board's announcement is expected to prevent any repetition of the sensational investigations and reports in which the Darrow board indulged, many of which were charged with being based on vague and general charges against codes.

Albany Board Rules On Three Grievances

ALBANY, Aug. 8.—Three decisions have just been handed down by the grievance board.

The complaint on withholding of product made by Minrose Amusement Co., State, Carthage, N. Y., against Columbia has been dismissed.

A charge of operation of a lottery brought by A. Stone, Eagle, Albany, against Harry Hellman, Royal, has been upheld and the lottery ordered stopped.

Admission of outsiders to free film shows at U. S. Veterans' Facility, No. 96, Tupper Lake, has been ordered stopped on complaint of W. A. Donovan, Palace, Tupper Lake.

Hearing on H. E. Haff's charge that Russell Munroe, manager of the Atlas, Adams, Mass., had interfered in his negotiation of renewal of a lease on the Photoplay, that town, has been postponed to Aug. 10 on request of Munroe.

W. C. Smalley's overbuying complaint against Schine Theatrical Co., Norwich, N. Y., has been set for hearing Aug. 17.

Roxy-Mayfair Case Up to Board Again

The Roxy's complaint against the Mayfair alleging that the defendant failed to cease and desist from distributing cut rate tickets following an order by the New York grievance board comes before the local board again today.

Howard S. Cullman recently won a decision against the Mayfair, but when he found that the Mayfair failed to live up to the order, he filed another complaint. However, if the board finds him guilty again, local exchanges will be ordered to stop supplying films with the blue eagle.

Meanwhile, Cullman has received a letter from Warners which stated the distributor will refuse to serve Walter Reade with pictures unless the "service charge passes" are discontinued.

Contract Changes Arouse K.C. Board

(Continued from page 1)

arises from the fact A. G. Smith, manager of the Uptown, Parsons, Kan., a Dickinson house, refuses to comply with the board's order to drop double bills at a dime adult admission which was given after the board determined the Uptown's contracts called for 15 cents minimum. Smith now claims to have obtained written authorization from two companies to continue the policy two days a week.

The board has cited Smith to appear next Monday and produce the letters. He will also be asked to show cause why his film service should not be stopped in accordance with the original decision.

C. M. McAleer, Orpheum, Parsons, who was the complainant in the original case, called the board's attention to the fact Smith was not complying with its verdict, given June 26.

Board members are provoked over the situation and intend to ask Campi if any distributor can add a rider to a contract superseding the contract in question in order to make it possible for an exhibitor to evade compliance with its verdict, if it is an evasion, and whether such practice will be permitted.

U. A. Loses in First Cancellations Vote

(Continued from page 1)

when the code was drawn the word license agreement was meant to cover more than one picture.

When Campi takes up the recommendation of the committee today, a decision is expected as a guide on similar complaints filed against the distributor or any other distributors.

The exhibitor in this instance asked for the cancellation of a $12.50 picture which was refused him by the Indianapolis branch manager of U. A. The local board referred the case to Campi.

Campi Will Act on Dual Penalty Today

(Continued from page 1)

Nathan Yamins, Leslie E. Thompson and Edward Golden slated to sit as the Campi body today, the first test case of penalizing duals in clearance and zoning schedules comes before Campi when the Milwaukee plan is opened to protests.

Considerable interest has been manifested in the issue throughout the country and exhibitors from Milwaukee and all parts of the country will be on hand. Practically every zoning schedule places a penalty on doubling and the decision in the Milwaukee case will act as a precedent.

Paterson House to Duals

Adam Adams, operator of the U. S., Paterson, N. J., has changed the policy for August and is now on a split week dual policy. Formerly the house made one change a week, at times playing double features.

Building in Osceola, Ia.

OSCEOLA, Ia., Aug. 8.—John Waller has started construction on a new theatre here for pictures and vaudeville. He expects to have it completed by early fall.

MPTOA Duals Stand Coming Up at Chicago

(Continued from page 1)

theatre business actually having been injured by double featuring curbs. It is believed, however, that such cases will be found to be confined to situations where duals have been entrenched long enough for the local public to regard them as standard program fare. The general policy of M. P. T. O. A., it is believed, will continue to be aimed at obtaining local agreements between exhibitors and distributors outlawing the exhibition and sale of dual features.

Also slated for discussion at the forthcoming executive committee meeting are the music tax increases proposed by the American Society of Composers, Authors & Publishers; results of theatre operations to date under the code and a general review of Code Authority and local code board actions. The meeting will also consider the applications for M. P. T. O. A. affiliation of several regional organizations.

New Southern Units Staying with MPTOA

MEMPHIS, Aug. 8.—The newly organized Mississippi and Arkansas state exhibitor units are retaining affiliation with the Tri-States M. P. T. O. and with the national M. P. T.O. A., R. X. Williams, secretary-treasurer of Tri-States and president of the new Mississippi unit, said today.

The object of organizing individual state units in Mississippi and Arkansas is to facilitate exhibitor action in combatting taxation and unfavorable legislation within the state, Williams said, experience having shown that the best results were obtained when these matters were handled by organizations and representatives from within the state affected. Thus the new I. T. O. of Mississippi and I. T. O. of Arkansas will act solely on local matters, while national activities involving them will continue to be handled through the Tri-State organization, representing Mississippi, Arkansas and Tennessee.

Peace Expected in K. C. Theatre War

(Continued from page 1)

been raging among first runs in this city. Independents, which have been waiting for the circuits to act first in the raising of prices and abolition of duals, are understood to be prepared to follow the example set by the circuit operators.

It was learned today that the Publix Newman is set to raise its prices on Aug. 24, with the RKO Mainstreet following suit on Aug. 30.

The Fox Uptown is also expected to join the other three circuits by boosting admissions by the end of the month.

No Appeals Are Heard

No appeals were heard yesterday by Campi, the committees taking a vacation in view of today's big session.

ITOA's Move To Drop Duals Meets Setback

(Continued from page 1)

supposed to have been held Tuesday, Brandt told his members, but the session failed to materialize. At the planned meeting circuits were to outline the conditions of the dual ban. The unit does not intend to do anything further on the issue until it hears from circuit representatives, it was stated.

Meanwhile, Skouras, RKO, Loew's, Warners and Paramount are expected to sign an agreement to drop second features from theatre programs in New Jersey. Allied of New Jersey is marshaling its men into line and signatures agreeing to eliminate twins are being signed daily by independents. Sept. 3 is the date set for the plan to go into effect across the Hudson.

Free Shows by PWA Stir Ire of ITOA

(Continued from page 1)

it was stated at the regular I.T.O.A. meeting at the Astor yesterday.

An average of eight shows nightly are given by the department in various sections of the city. Mobile stages are employed so that troupes play in different neighborhoods from night to night. In addition, matinees for children are staged daily in various parks and playgrounds throughout the city. Players for the performances are recruited from unemployed actors' and actresses' lists registered with the Public Welfare Department.

The I.T.O.A. will name a committee to meet with officials of the department immediately and request either elimination of the free shows or their operation under a new policy less damaging to neighborhood theatre business. Criticism was also voiced at the meeting of the parks department's free concerts and free open air dances.

Blumenthal Resigns His ITOA Board Job

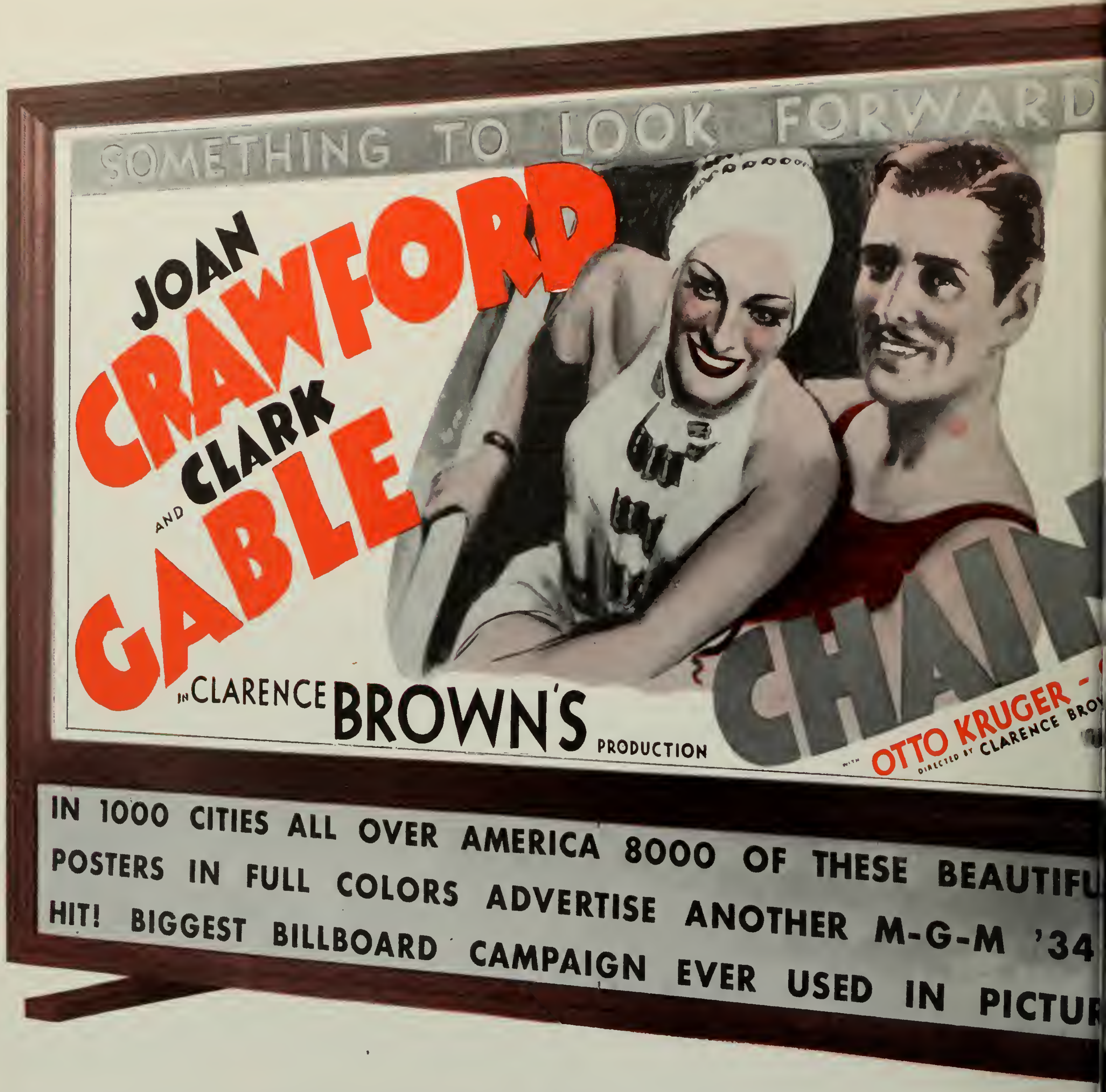
Lou Blumenthal resigned yesterday as chairman of the board of the ITOA because of his recently completed theatre partnership deals with Warners and RKO which, he felt, disqualified him from membership. Affiliated exhibitors are barred from ITOA membership by the organization's by-laws.

A successor to Blumenthal will be elected at the next regular meeting of ITOA.

Clearance Appeals Pouring Into Cincy

CINCINNATI, Aug. 8.—Exhibitors in the Greater Cincinnati, Columbus and Dayton territories have filed objections with the local clearance and zoning board on the revised schedule of clearances set up as of Aug. 1.

These have been forwarded to Campi for determination. Meanwhile, the schedule is being held in abeyance.


SOMETHING TO LOOK FORWARD
JOAN CRAWFORD
AND CLARK GABLE
IN CLARENCE BROWN'S PRODUCTION
CHAI
WITH OTTO KRUGER -
DIRECTED BY CLARENCE BRO
IN 1000 CITIES ALL OVER AMERICA 8000 OF THESE BEAUTIF
POSTERS IN FULL COLORS ADVERTISE ANOTHER M-G-M '34
HIT! BIGGEST BILLBOARD CAMPAIGN EVER USED IN PICTU

FACTS ABOUT LEO'S BILLBOARD CAMPAIGN:

SCOPE: Nation-wide.

NUMBER SHOWINGS: 8,000.

NUMBER TOWNS: 1,000.

POPULATION OF TOWNS: 45,119,000.

ESTIMATED READERS: 112,788,000 daily. According to scientific compilation by National Outdoor Advertising Bureau.

TYPE OF DISPLAY: Standard 24-sheet poster panels, set with borders of lattice work and moulding which are painted green; illuminated at night traffic points.

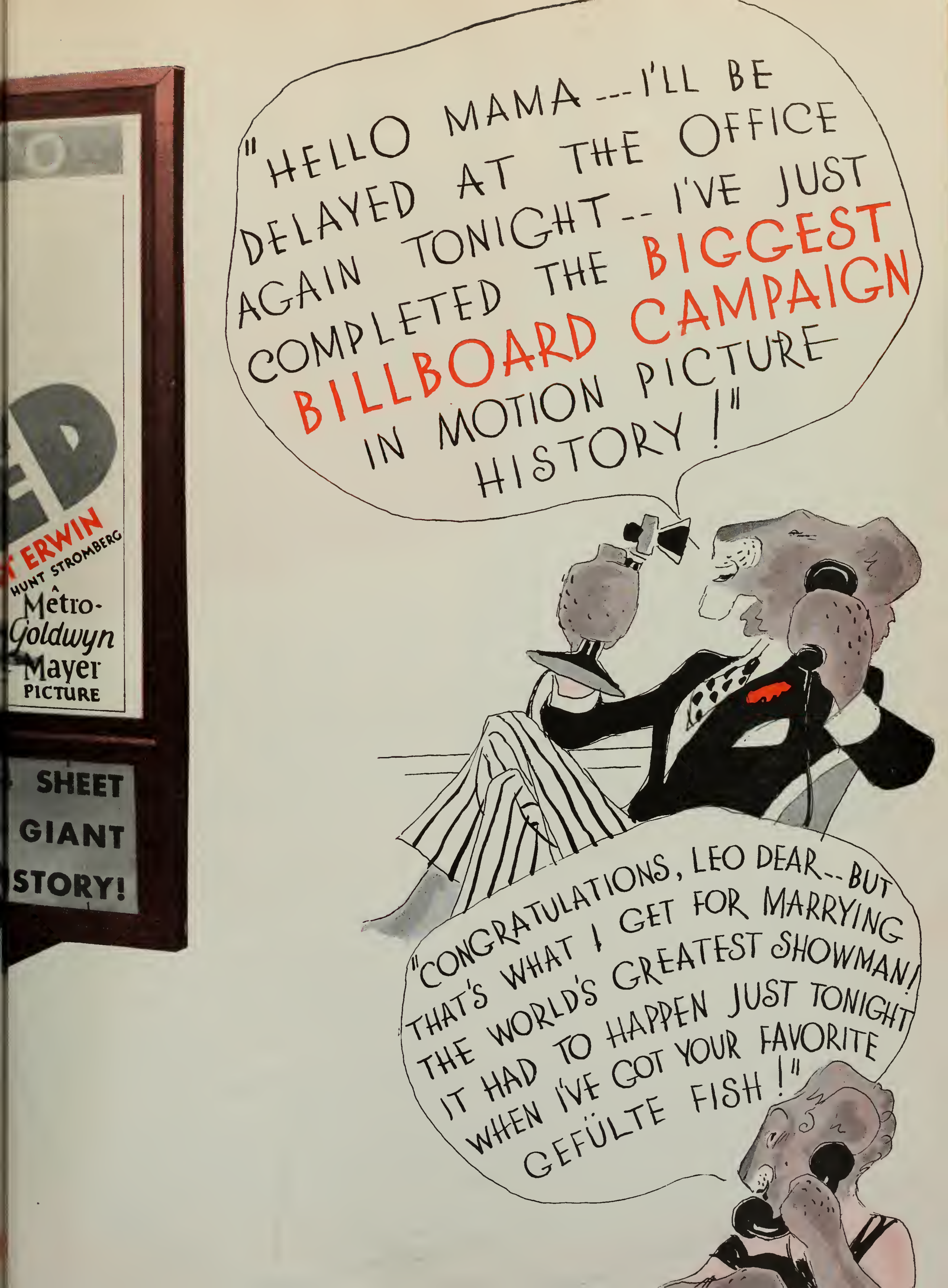
SIZE OF PANEL: 12 feet high; 25 feet long.

LOCATIONS: Strategic city points; highways entering cities; along railroads; interurban trolley and bus line terminals, etc.

FIRST POSTING: Joan Crawford and Clark Gable in "Chained."

POSTING TO START: August 15th.

MAGAZINES! BILLBOARDS! MARCHES O


ED
T ERWIN
HUNT STROMBERG
A
Metro-Goldwyn-Mayer
PICTURE
SHEET
GIANT
STORY!
"HELLO MAMA---I'LL BE DELAYED AT THE OFFICE AGAIN TONIGHT-- I'VE JUST COMPLETED THE BIGGEST BILLBOARD CAMPAIGN IN MOTION PICTURE HISTORY!"
"CONGRATULATIONS, LEO DEAR--BUT THAT'S WHAT I GET FOR MARRYING THE WORLD'S GREATEST SHOWMAN! IT HAD TO HAPPEN JUST TONIGHT WHEN I'VE GOT YOUR FAVORITE GEFÜLTE FISH!"

flash

Congratulations on PARAMOUNT'S first Picture of the New Season!

BING CROSBY'S greatest triumph since the twins!

"SHE LOVES ME NOT"* is doing S.R.O. business in all theatres which it is playing

* A Paramount Picture starring BING CROSBY and MIRIAM HOPKINS with KITTY CARLISLE, LYNNE OVERMAN, GEORGE BARBIER, HENRY STEPHENSON, WARREN HYMER. Directed by ELLIOTT NUGENT

ESTERN
NION

J. C. WILLEVER, FIRST VICE-PRESIDENT

ch are hereby agreed to

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AUG 7 1934

ARAMOUNT PICTURES DISTRIBUTING CORP PFP

NEVER IN THE HISTORY OF THE CHICAGO THEATRE HAS A PICTURE PLAYED FOR MORE THAN ONE WEEK STOP BING CROSBY IN "SHE LOVES ME NOT" NOW BREAKS THIS PRECEDENT BY BEING HELD OVER FOR A SECOND WEEK STOP THE CHICAGO THEATRE IS PLAYING TO A GREATER ATTENDANCE THIS WEEK THAN AT ANY TIME SINCE IT WAS ERECTED FOURTEEN YEARS AGO STOP ALTHOUGH WE ARE OPENING EVERY MORNING AT EIGHT THIRTY OCLOCK WE ARE UNABLE TO TAKE CARE OF THE TREMENDOUS CROWDS THAT ARE LITERALLY STORMING THE THEATRE STOP CONGRATULATIONS ON PARAMOUNTS FIRST PICTURE OF THE NEW SEASON REGARDS

WALTER IMMERMAN

WESTERN UNION GIFT ORDERS SOLVE THE PERPLEXING QUESTION OF WHAT TO GI

The Leading Daily Newspaper of the Motion Picture Industry

MOTION PICTURE DAILY

Alert, Intelligent and Faithful Service to the Industry in All Branches

VOL. 36. NO. 34 NEW YORK, FRIDAY, AUGUST 10, 1934 TEN CENTS

Theatres Must Boost Scales, Says Lichtman

Holds Industry Heads for "Nickelodeon Days"

Unless the industry does something about admission scales it is headed back to "nickelodeon days," says Al Lichtman, vice-president in charge of United Artists' sales.

Raising prices a nickel all along the line would increase revenue by $1,000,000 a week, he says, and, in his opinion, the industry needs this if it is to continue to turn out good pictures.

Average admissions now, he states, are about $4,000,000 per week, and to put the industry on a sound basis they should be at least $5,000,000.

(Continued on page 6)

Baker's Firm May Lead ASCAP Fight

Newton D. Baker's law firm—Baker, Hostettler, Sido & Thompson, of Cleveland—is the indicated favorite to take over the national exhibitors' legal battle against the American Society of Composers, Authors

(Continued on page 7)

Schnitzer Abandons Production Activity

Hollywood, Aug. 9.—That Joseph I. Schnitzer has abandoned all production plans was revealed today upon the announcement that he had closed a deal giving him a controlling interest in the Western Costume Co.,

(Continued on page 16)

Dressler Tribute

A resolution in tribute to Marie Dressler was adopted unanimously by Campi at its session yesterday. The actress was a member of the authority at the time of her death.

Miss Dressler was eulogized as having given to countless millions in her lifetime "the benediction of her humanity, her hope and her laughter," and her struggle against odds to reach the top of her profession was described as "an inspiration to human hearts."

Campi Decides Against Clearance Dual Penalty

Para. Reports Wipe Out $180,000,000 in Claims

Reports recommending orders wiping out approximately $180,000,000 of creditors' claims against Paramount were made to the U. S. District Court here yesterday by Special Master John E. Joyce.

Joyce recommended approval by the district court of the plan of reorganization for Paramount Broadway Corp. under which new paper will be issued for the $8,875,000 bond issue outstanding on the Paramount building and theatre in Times Square. Paramount will guarantee payment of interest on the new issue and make provisions for a sinking fund to meet maturities. The plan was developed early last spring, but has been held in abeyance while both Paramount Publix and Paramount Broadway filed petitions for reorganization under Section 77-B of the new bankruptcy laws.

The plan provides for the withdrawal of claims against Paramount aggregating $178,543,653, representing the amount alleged to be due in rents on

(Continued on page 7)

Fox Film Seen In Quick Move On Met Houses

With ramifications indicating that Fox Film and Fox Theatres Corp. may endeavor to retain control of Fox Metropolitan Playhouses, a newly elected board of directors of Fox Met filed a voluntary petition for reorganization of the company under Section 77-B of the new bankruptcy laws yesterday.

The voluntary petition, filed with Federal Judge Julian W. Mack in U. S. District Court here, was presented by Ralph O. Willguss as attorney for Fox Met. Willguss is a member of the law firm of Watson &

(Continued on page 7)

Stapel Advocating Month Buying Delay

Kansas City, Aug. 9.—A four-week buying strike as a protest against high film rentals demanded by distributors this year is urged by John C. Stapel of Columbia, Mo., president of the Kansas-Missouri Theatre Ass'n.

Stapel, in a statement to Motion Picture Daily, points out the drought has raised havoc with business conditions in Kansas and Mis-

(Continued on page 7)

RKO's Drive For Theatres Here Is Ended

With the exception of one deal in negotiation and nearing the signing point, RKO's theatre acquisition drive has ended, it was stated officially yesterday.

Within the last few weeks, RKO has made operating deals for 11 local houses and expects to sign a contract for the 12th any day. Theatres taken over are the Uptown, Yorktown, Midtown, Costello, Apollo and Hollywood in Manhattan; Alden, Jamaica; Embassy, Port Chester; Utica and Fortway, Brooklyn; and the Alhambra in Harlem which is being reopened the

(Continued on page 7)

Loew's After Five Reade Jersey Spots

Continuing its local expansion program, Loew's has a deal on with Walter Reade for about five theatres in New York and New Jersey. The City on 14th St. is one of the houses involved.

Loew's recently took the Boston Road in the Bronx and the Gem, Far Rockaway, and plans to open them by Sept. 1. The Reade deal, if consummated, would become effective Sept. 1.

Indies Victorious in Attack on Schedule For Milwaukee

Independent distributors and producers won a signal victory yesterday when Campi handed down an order that no clearance schedules should be based on whether an exhibitor plays duals.

A resolution to this effect was agreed upon following an attack by independent forces on the Milwaukee clearance and zoning schedule, which penalizes first runs playing duals by 14 days in clearance and subsequent runs 49 days.

Louis Nizer, secretary of the New York Film Board of Trade, represented Universal, Columbia, Security

(Continued on page 6)

Campi Expense for 7 Months $94,436

Under its new system of filing monthly financial statements Campi yesterday issued a report showing total disbursements for the seven months ending July 31 as $94,436.75.

Receipts from producers have been $49,700 and from exhibitors $78,570,

(Continued on page 6)

Trans-Lux in Deal For a Third House

Marking the third Trans-Lux project in the local territory, a deal is now on whereby Trans-Lux will convert the Savoy on 34th St., west of Broadway, into a newsreel and shorts theatre. The house, owned by Walter

(Continued on page 16)

Campi Resolution

Campi passed the following resolution yesterday following an attack on dual penalty clauses in clearance and zoning schedules:

"Resolved that no clearance and zoning board should establish any clearance based upon whether a theatre operates on a double or single feature policy."

This invalidates all pending clearance schedules containing these clauses.

MOTION PICTURE
DAILY

(Registered U. S. Patent Office)

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Editor
JAMES A. CRON
Advertising Manager

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Hirsh, Kulick in Deals

Melvin Hirsh and Bert Kulick of Melbert Pictures Corp. have taken over physical distribution of Syndicate Exchanges, Inc., and Monarch Exchange, Inc., and have closed a deal with Max Alexander to release Beacon Prod. product.

Martin Johnsons Back

Mr. and Mrs. Martin Johnson who left New York in January, 1933, for another African hunting expedition by plane, returned yesterday on the *Manhattan.* Cutting will be started soon on the film record of the trip which will be released by Fox.

Schreiber Suit Delayed

DETROIT, Aug. 9.—Jacob Schreiber's anti-trust suit against Mid-States Co-operative Theatres and Ben and Lew Cohen is scheduled to come before U. S. District Court Judge Edward Monet Aug. 13. It was postponed earlier this week.

"Andy" Held at Roxy

Garnering $27,600 for the first week at the Roxy, "Handy Andy" goes into a second week today with indications the Fox film may be held for a third stanza.

Interstate Gets Warner

Warners have closed with the Interstate circuit, which has 23 houses in Texas, for the entire Warner-First National output for the new season.

Moffitt Sides with Quigley on Salaries

KANSAS CITY, Aug. 9.—"I am inclined to believe with Mr. Martin Quigley of the *Motion Picture Herald* when he says it is unfair to fly into a rage every time you hear that an actor is 'making more than the President of the United States,'" declares John C. Moffitt, film critic of the *Kansas City Star,* in a column devoted to a defense of high bracket salaries of stars.

"In no other field is the President's salary taken as a measuring stick for American remuneration. Financiers, bankers, board members, manufacturers and many other private individuals make more than the President without causing rioting in the streets.

"In a number of these instances, Congressional investigations have disclosed, such gentlemen have garnered their huge rewards by manipulations that had only an adverse effect upon the public good. No movie actor has been convicted of making his money by fleecing the investing public."

White Elected Head Of Allied in Oregon

PORTLAND, Aug. 9.—Robert White of this city was elected president of Allied of Oregon at a session held here yesterday.

Other officers named were: Vice-President, M. M. McMinnville; secretary-treasurer, William Cutts. This was a reelection for Cutts. Joe Brandt of Portland was named Portland director, with three new outside directors, Guy Matthews, H. E. Ripley and E. Gould.

The secretary was instructed to write a letter to Will H. Hays urging him to resign.

Among subjects discussed were music score charges, duals, the prospects for increased membership and finances.

To Broadcast Filming

The shooting of scenes in Select's "Gigolette" will be broadcast by WMCA on Tuesday from 7 to 7:30 P. M. from the Biograph studio, where the film is being made. The program will be carried by 10 key stations on the Atlantic seaboard. The broadcast has been arranged by Sam Taylor, screen reporter of WMCA.

Weisner Stays with Wisconsin Circuit

MILWAUKEE, Aug. 9.—An operating agreement between Wisconsin Amusement Enterprises, Inc., and Etta Weisner provides that Weisner will maintain an official job in the circuit's operation of his Downer and Shorewood, local neighborhood houses, which have been slated to revert to the Fox subsidiary Sept. 1.

A similar agreement is reported to be under way between L. K. Brin, operator of the Garden, local downtown house, and H. J. Fitzgerald, general manager for Wisconsin Amusements. The Garden will, for the time being, continue showing second run pictures.

Livingston Lanning, manager of the Fox Wisconsin, will serve as managing director of the newly acquired Alhambra, as well, when it opens Aug. 18. Stanley Meyer, son of Fred S. Meyer, former operator of the theatre, is slated to be house manager. The management has signed Bob McElroy's orchestra and will feature a combination vaudeville and film policy.

R. A. Frenzel, formerly assistant treasurer of Midwesco Theatres, Inc., and more recently with the Skouras Bros. in Bakersfield, Cal., has joined the Wisconsin Amusement Enterprises here.

Mexico City Strike Settled by Payment

MEXICO CITY, Aug. 9.—In order to settle the strike that has held up the transfer of the Iris from legitimate shows to films, the management has agreed to accept the Ministry of Labor proposal to pay 5,000 pesos, about $1,400, to those who will lose their jobs.

Boleslavsky to Tour

HOLLYWOOD, Aug. 9.—Richard Boleslavsky planes to New York and then goes on a three-week trip to Europe when he completes direction of "The Painted Veil," featuring Greta Garbo for M-G-M. The director will be accompanied bv his wife.

Dave Miller Back on Job

BUFFALO, Aug. 9.—Dave Miller, Universal exchange manager, president of the Buffalo Variety Club and Film Board of Trade, is back on the job after a serious illness.

Loew Pfd. Leads Big Board Rise

	High	Low	Close	Net Change	Sales
Columbia Pictures, vtc	26½	26	26½	+ ⅜	100
Consolidated Film Industries	2⅝	2½	2⅝	+ ⅛	100
Eastman Kodak	99¼	97	99¼	+1½	600
Fox Film "A"	10½	10	10½	.....	200
Loew's, Inc.	27⅞	24¾	27¾	+1¾	4,200
Loew's, Inc., pfd	90	90	90	+3⅝	100
Paramount Publix, cts	3⅛	3	3⅛	+ ⅛	5,400
Pathe Exchange	1⅛	1	1⅛	.....	3,600
Pathe Exchange "A"	14¼	12½	14¼	+ ⅝	300
RKO	2	2	2	+ ⅛	300
Warner Bros.	4	3⅝	4	+ ⅛	1,200

Curb Issues Show Gain

	High	Low	Close	Net Change	Sales
Technicolor	12	12⅞	12⅞	+1⅛	300
Trans Lux	1⅞	1⅞	1⅞	+ ⅛	100

Warner Bonds Up 1½

	High	Low	Close	Net Change	Sales
Paramount F. L. 6s '47	38	38	38	.....	1
Paramount Publix 5½s '50	39	39	39	.....	2
Warner Bros. 6s '39, wd	54½	53½	54½	+1½	6

Purely Personal

NICK LUCAS, with JANET READE and CHERRY and JUNE PREISSER, starts work today in "Run on the Bank," two-reeler, at the Vitaphone plant in Brooklyn.

COREY FORD's original, "Two for One," has been bought by Columbia as a co-starring vehicle for JACK HOLT and EDMUND LOWE.

M. H. AYLESWORTH has been forced to postpone his air trip to South America due to pressure of business.

HOWARD S. CULLMAN, receiver for the Roxy, leaves tonight for Lake Placid for a few days' rest.

WILLIAM G. UNDERWOOD of the Dallas Monogram office is spending a few days here.

HAROLD ROBB of the Robb & Rowley circuit in Texas is in town on product deals.

R. E. GRIFFITH of the Griffith circuit in Oklahoma is visiting for a few days.

RICK RICKETSON of Fox Rocky Mountain Theatres is in from Denver.

MORTON VAN PRAAG returns from a Chicago trip Monday.

LEE OCHS plans to sail for the Argentine Wednesday.

NED DEPINET is back from a flying trip to the coast.

IRVING MANDEL leaves for Chicago tomorrow.

Berman Joins Standard

BUFFALO, Aug. 9.—Harry Berman, formerly of the old Shea Theatres Corp. advertising staff, has taken over the new post of publicity director for Standard Film Exchange. Standard, in addition to Monogram, Majestic and Mascot features, has taken over Ub Iwerks' ComiColor cartoons for distribution.

Fox to Hold Walthall

HOLLYWOOD, Aug. 9.—A long term contract for Henry B. Walthall is awaiting final signature at Fox as a reward for his work in the Will Rogers film, "Judge Priest." The actor's first on the scheduled new deal will be a featured role in "Bachelor of Arts."

Lesser Sets Lewyn Deal

HOLLYWOOD, Aug. 9.—Sol Lesser has just closed a deal with Louis Lewyn, producer of "Hollywood-On-Parade" series, to release these subjects throughout the world, excepting United States and Canada, through Principal Pictures Distributing Corp.

Re-Sign Glenda Farrell

HOLLYWOOD, Aug. 9.—Glenda Farrell has been signed to a new long term contract by Warners. The actress is now in New York recovering from a recent appendicitis operation.

'Dames' Premiere Aug. 15

Warners' "Dames" will have its world premiere Wednesday night at the Strand.

IT'S COMING *your* WAY SOON!

Direct from Radio City Music Hall, mammoth showplace of the nation, where eager audiences crowded to stamp their popular approval on the first popular-priced run of "The World Moves On"

THE WORLD MOVES ON

THE LOVE STORY OF A CENTURY

with

MADELEINE CARROLL
FRANCHOT TONE

Produced by Winfield Sheehan
Directed by John Ford
Story and screen play by Reginald Berkeley

FOX

Coast critics laud HAROLD

HAROLD LLOYD

in

The Cat's Paw

with

UNA MERKEL
GEORGE BARBIER
NAT PENDLETON
GRACE BRADLEY
ALAN DINEHART
GRANT MITCHELL

•

From the Saturday Evening Post story
by **CLARENCE BUDINGTON KELLAND**

Directed by
SAM TAYLOR

PRODUCED BY THE
HAROLD LLOYD CORPORATION

A FOX release

LLOYD'S biggest hit

Trade reviewers and newspaper scribes welcome new note in star's latest, greatest release!

"Should prove a box office clean-up! Lloyd at his best! Marks departure from his gag formula . . . deftly blending suspenseful incident, hilarity, romance."

—*Variety Daily*

"Ace entertainment! Harold Lloyd uses a real story and does not depend upon gags. Laughs in great numbers . . . clever situations . . . suspense."

—*Film Daily*

"A packed house gave Harold Lloyd's latest many laughs, prolonged applause. Radically different from his latest efforts . . . has strong cast, a novel plot, good acting."

—*Motion Picture Daily*

"All-audience entertainment affording something special for each age. Entirely different type of Harold Lloyd comedy . . . audiences will live, laugh and sympathize with him."

—*Motion Picture Herald*

"Harold Lloyd was never funnier or better in his whole career. You are actually thrilled as well as amused every minute. Hop on this one quick and give your box office a new lease on life."

—*Hollywood Filmograph*

"Lloyd has ample reason to be happy about his latest. One of those fine, clean comedies so many film fans have been looking for. I tender him my congratulations."

—*Hollywood Citizen News*

"Certain to register at the box office. One of the most entertaining pictures of the year. Provokes laughter aplenty. Harold Lloyd proves his versatility as an artist."

—*Hollywood Screen World*

Campi Rules Out Penalty For Doubles

(*Continued from page 1*)

Pictures and B. N. Judell, Inc., of Chicago and Milwaukee, 30 independent Milwaukee exhibitors and all independent producers in an attack on the penalty clause in the schedule.

The Campi session divided itself into two parts, one an attack on duals and penalty clauses and the other a fight on setting up clearances according to admission scales. Nizer, I. E. Chadwick, William Powers of Fox West Coast, and John Frueler opposed the dual clauses in the Milwaukee schedule, while E. M. Saunders of M-G-M; Nizer, and I. Levinson of Warners fought the clearance plan based on admission prices.

With S. R. Kent as chairman and Nizer and Levinson taking pot shots at most of the clauses, the hearing was attended en masse by independent exchange men and producers. Among others on hand were Willard McKay, Jack Cohn, Abe Montague, E. M. Goldstein, Herman Gluckman, Harry H. Thomas, Irving Mandel, Bernard Mills, Jack Sullivan, Claude Ezell and William G. Underwood.

Nizer Opens the Attack

Nizer opened the attack on the twin bill penalty clause by declaring that the Milwaukee board had acted as a legislative body instead of as an administrative body and that the board had put into the schedule something not authorized by the code.

Nizer said the board even had gone so far as to legislate against shorts. He pointed out that pictures of 3,000 feet or over are defined as features. Levinson, Warner attorney, later hit this same angle, stating Warners plan a number of three-reel shorts next season which according to the clearance draft, will be deemed features and exhibitors playing them with single bills will be declared showing two features.

"Not only has the board legislated against duals and shorts, but it has included advertising and 'flesh,'" Nizer said. According to the plan, no exhibitor can advertise prices of coming attractions.

"The only thing lacking is a morality clause and then Milwaukee would have drawn a new code for us," Nizer stated.

"Exhibition is divided into three parts, like Gaul," the attorney added, "only with more gall."

Continuing, Nizer stated that the issue was not on the wisdom or inadvisability of duals. The code is silent on duals and it is not possible to controvert the code and write into it what is left out, he asserted.

"What has gone out the back door cannot come in the front way."

Nizer contended that if tested the plan would not survive. He said many protests already have been filed and wanted the issue determined on its own merits.

During his argument, Nizer pointed out that the code advocates increased production and employment, adding that the schedule wants to reduce both.

"The schedule as a whole has exceeded the authority given by the code, and the entire plan should be scrapped. The schedule is unworkable and should be sent back for individual protests with instructions. . . ."

Kent interrupted at this point to object to Nizer's attempt to advise Campi what to do. Edward Golden then objected to Kent's remarks, stating he thought Nizer was right in making suggestions.

The trend of the discussion then veered to admissions prices and how clearances were affected. The New York Film Board secretary pointed out that clearances are bought and that the price paid for a picture should govern the amount of clearance and not admission charges. It was declared that the code does not set minimum admissions and that rentals are set between distributor and exhibitor who then agree on minimum prices.

Volley from Levinson

Considerable interest was manifested in an oration by Levinson attacking the schedule as it pertains to zoning and clearance regulated by admission scales.

Levinson brought out the unworkability of scheduling clearance according to admissions and not by rentals. He said that an exhibitor paying $100 for a feature would charge 25 cents. Another exhibitor, paying $25 for a picture and charging 10 cents, could reduce the protection of his competitor by increasing his admission. He said clearance was taken out of the hands of distributors and put into the laps of exhibitors, who could do as they please if prices determined protection.

The Warner attorney later was questioned by Austin Keough, J. Robert Rubin, Kent and Charles L. O'Reilly.

Ed Kuykendall was the only Campi member in favor of duals' elimination. He said he believed it wasn't fair to a first run house with singles charging 25 cents to have a dual house as competition charging the same price.

Outside of a few remarks by the M.P.T.O.A. head, no one put up any kind of a defence of the plan at the open sesame.

Nizer then stated he acknowledged the right of distributors to put clauses into contracts on duals, but not of any clearance board to set up a policy for its entire territory.

John R. Frueler, who stated he operated several houses in Milwaukee, said he tried to drop duals from one of his theatres and the plan flopped. He aded that if he were forced to go single he would have to close and so would many other exhibitors. He said he didn't sign the Milwaukee agreement on duals.

The Only Way

Kansas City, Aug. 9.—Because funds are not available for sending out copies of adopted clearance schedules to individual exhibitors and distributors affected and because Campi has made no provision therefor, those who want to learn details of the new schedules will have to read the trade papers, states Grace Gannon, local board secretary.

Campi Expense for 7 Months $94,436

(*Continued from page 1*)

a total of $128,270. This leaves a balance of $33,833.25 as of July 31.

Total home office disbursements were $41,295.02. Disbursements for the Hollywood offices have been as follows: Main, $2,600; extra, $2,182.52; labor, $958.45. Local boards have spent $47,400.76.

July disbursements totaled $23,604.41. This was under the monthly budget estimate by $1,362.09. In June the total disbursements of $25,120.01 were over the estimate by $153.51.

Pittsburgh Clearance Drops 4 of 5 Cases

Pittsburgh, Aug. 9.—Five zoning cases have been adjudicated by the local clearance board. Four of them have been dismissed.

Cases dismissed were:

E. H. Goldberg, Brushton Theatre, Pittsburgh, against clearance of seven days in favor of the Belmar, Pittsburgh, operated by Warners.

Mrs. Louise M. Muir, Grand, Elizabeth, Pa., against 28-day clearance granted Harris-Memorial and Victor theatres, McKeesport, Pa., operated by Warners. The complainant had asked that clearance be changed to give her film 28 days after first run Pittsburgh, eliminating McKeesport.

Frank Panoplos, State, Clairton, Pa., against the same defendants and on the same grounds.

Ike and Harry Browarsky, Bellevue, Bellevue, Pa., against seven-day clearance granted in favor of Warners' Kenyon, Pittsburgh, and R. Amdur's Garden, also in this city.

In the remaining case Ike Browarsky had the Kenyon's clearance over the Hippodrome, another Pittsburgh house, reduced from 14 to seven days.

Grievance Hearing Here is Postponed

Because neither of the impartial men were available, the New York grievance board yesterday postponed all cases on the calendar to Aug. 28. Ex-Senator George F. Thompson, grievance member, and Ex-Judge Alfred E. Steers, clearance and zoning, were out of town and it was impossible for the board to get a man outside of the industry to sit in on the hearing on short notice.

The principal case set for the hearing was the alleged violation of a cease and desist order by the Mayfair on distribution of cut rate tickets. Milton C. Weisman, attorney, was prepared to defend Walter Reade, operator of the Mayfair, and Irving Lesser was ready for the Roxy, complainant.

Detroit Clearance Plan Nearly Ready

Detroit, Aug. 9.—Completion of the new zoning plan for this city is expected this week. The clearance and zoning board has been at work on the schedule for several weeks.

As soon as this city's schedule is out of the way the board will start on Grand Rapids and Flint.

Theatres Must Boost Scales, Says Lichtman

(*Continued from page 1*)

His estimate of the average admission is 20 cents.

Lichtman has just returned from a tour of exchanges in which he checked figures for 800 theatres. He says attendance is generally good—running about 20,000,000 weekly for the country, but the income is so low "both producers and exhibitors in most instances are furnishing entertainment at a loss."

Some exhibitors are making money, he admits, but he points out that most of these are men who have leased closed theatres and are playing on a percentage with landlords.

"It is these theatres," he says, "which, playing pictures at 10 and 15 cents, are taking money from the larger houses, the first runs which show films on a percentage basis as a rule. It is from these larger houses that the bulk of producers' income is derived."

It is as much an exhibitor's problem as it is producer's, he points out. His solution, advanced as a suggestion is that exhibitors in each territory should get together and boost prices at least five cents all along the line. Most of them are hanging on the border line where they are not already losing money.

Cites First Run Cuts

"The biggest first runs have cut from an average of 75 to 50 cents for two hours in the evening, and for most of the hours of the day they charge 25 cents to 35 cents. Average first runs are down to 40-35-25 cents and smaller houses are playing at 15 cents," he points out.

In Chicago, he says, 275 houses charge 15 cents, and in Detroit only the downtown first runs are not running duals at 15 and 20 cents. Big houses suffer as a result.

"In spite of this situation," Lichtman says, "new houses are being opened in remodeled stores. Bondholders and other investors in large theatres have practically been wiped out."

In England, on the other hand, admissions average about three times as high as they do here, Lichtman states, and the industry is in a healthy condition.

"Duals are practically universal over there," he says, "but the second feature is sold at a very nominal figure to absorb poor product, and big pictures do not suffer as a result. Over here they put two big ones on the same program, or two poor ones. Rentals fall.

"This can't go on. United Artists can make pictures for $50,000 like some of the independents, but if the public gets only this kind of picture it will stop going to theatres."

Warners, 'U' in Exchange

Hollywood, Aug. 9.—Universal and Warners have agreed on a switch of leading players, which places Warren William in the top role of "Imitation of Life" in place of Paul Lukas. The latter player goes to Warners for the lead role in "King of the Ritz."

Fox Film Seen In Quick Move On Met Houses

(Continued from page 1)

Willguss, which is counsel for William E. Atkinson, receiver for Fox Theatres Corp. Archibald R. Watson, of the same law firm, active in Fox Theatres affairs for the past two years, is the newly elected president and chairman of the board of Fox Met.

William L. Bainton of Beckman, Bogue & Clark, counsel for the Fox Met bondholders' committee, did not oppose the Fox Met petition for reorganization, giving rise to the belief that the bondholders' committee will cooperate in a reorganization plan under which bondholders might accept new paper in exchange for outstanding Fox Met bonds, thus averting a foreclosure sale and retaining control of Fox Met with Fox Theatres Corp. The latter corporation owns all of the outstanding preferred and common stock of Fox Met and, while Fox Theatres itself is in receivership, observers feel that a reorganization of that company could be achieved under which Fox Met holdings could be retained.

Election Made Known

The election of new officers and directors of Fox Met occurred late Thursday, it was disclosed yesterday. In addition to Watson, the directors are Isaac H. Levy, an associate of George Gordon Battle, prominent attorney; Alexander C. Dick, attorney and Rhodes scholar, and Peter Johnston, who, Willguss stated yesterday, he was unable to identify.

Concurrently with the filing of its petition for reorganization under the new bankruptcy laws, Fox Met moved for dismissal of the prior petition for the same reorganization which was brought three weeks ago by three Fox Met bondholders through their attorney, Archibald Palmer. The motion to dismiss the earlier petition was based on the allegation by Fox Met that two of Palmer's three bondholder-clients had deposited their bonds with the noteholders' committee, thereby waiving their rights as creditors in favor of the committee. The new bankruptcy law requires that the petition for reorganization be brought by a minimum of three bondholder-creditors. The Fox Met petition, however, asked that in the event Palmer's clients were found to be legal creditors by the court, authorization be given Fox Met to join its voluntary petition for reorganization with that of the three bondholders.

Opposes Fox Met Petition

Palmer opposed the Fox Met petition and disregarded a suggestion made by Judge Mack that, in order to save time, two Fox Met bondholders who had not deposited with the committee, be substituted by Palmer for the two whose standing as creditors was questioned. Palmer asserted that his object was to endeavor to dissolve the entire bondholders' committee by showing that its agreements with depositing bondholders did not give the committee right and title to the bonds. Palmer said he would put his clients and officers of the committee on the stand at a future date in an attempt to show that depositing noteholders retained their right and title to the bonds and that they, therefore, were creditors and the committee was not. In this manner, he said, the committee would be shown to have no legal standing in the Fox Met situation.

It was also disclosed at yesterday's hearing that all of the outstanding Fox Met stock had been transferred on Tuesday from Fox Theatres Corp. to Atkinson, the receiver for the company.

Answers Palmer Petition

In an answer to the reorganization petition filed by Palmer, Fox Met asserts that Palmer's clients are not in a position to offer a workable plan of reorganization, adding that such a plan is already in existence. The plan referred to is that of the bondholders' committee, which sets up a voting trust controlling Fox Met, headed by Sidney R. Kent, which would continue operation of the circuit under Skouras and Randforce. It is pointed out, however, that in a reorganization under 77-B the bondholders' plan could either be carried out as is or revised in certain particulars which would give Fox Theatres and Fox Film even greater representation on the voting trust and, in addition, provide for the participation of those companies in new Fox Met notes.

Judge Mack took no action yesterday on either the Fox Met petition for reorganization or on the company's motion to dismiss the Palmer reorganization petition. His decisions are understood to await settlement of the legal status of Palmer's petitioning clients.

Fox Midwest Meet Set

Kansas City, Aug. 9.—Fox Midwest will hold its annual convention in Topeka on Tuesday and Wednesday.

Para. Reports Wipe Out $180,000,000 in Claims

(Continued from page 1)

the Paramount building and theatre for the unexpired portion of the old lease and for taxes and operating expenses on the building, in addition to the bonds outstanding. New leases for Paramount office space and the theatre are incorporated in the plan.

Also recommended for approval was a plan of reorganization for the Toledo Paramount Corp., involving the release of Paramount from liabilities of $1,711,000 in connection with a bond issue of the Toledo company and rents and taxes on five Toledo theatre properties. In return for the release of Paramount from the specified liabilities, Toledo Paramount Corp. is relieved of a claim of $1,036,449 held by Famous Theatres, a Paramount subsidiary, and a second claim of an indeterminate amount. In addition, Paramount is to pay fees aggregating $165,000 to Al Reuben and Walter J. Kountz, receivers for the Toledo company, and their attorneys.

Settlement of a $30,500 claim for $23,500, involving leases on the State and Penn, Uniontown, Pa., was also recommended by Joyce.

Action was deferred by Joyce until today on petitions of the Paramount Publix trustees seeking authorization for Famous Theatres to purchase 250 shares of Class A stock in Publix Salt Lake Theatres for $50,000 plus half of the net profits of the circuit from June 9, 1933, to the date on which the authorization becomes effective. Famous already owns the Class B stock of the circuit. The stock it seeks to purchase represents the only remaining interest in the circuit held by Louis Marcus, Salt Lake City mayor and operator of the houses. If the purchase is approved, Famous will take over operation and appoint a successor to Marcus.

Action was also deferred until today on a petition authorizing purchase of Paramount liabilities on a $615,000 debenture issue of G-B Theatres of New England for $300,000 The transaction is part of the original deal by which Samuel and Nathan Goldstein, former operators of G-B, resume operation of the circuit.

Stapel Advocating Month Buying Delay

(Continued from page 1)

souri, but despite that distributors have hiked rentals for 1934-35 product "25 per cent more than last year."

"If there ever was a itme when exhibitors should use extra care and put off signing a contract for new product it is now," says Stapel.

"Putting off my buying four weeks will make no difference, but if 300 of our Kansas-Missouri exhibitors refuse to sign a contract for four weeks I believe executives in New York might inquire as to conditions out here."

Exhibitors in Cincy Welcome the Eagles

Cincinnati, Aug. 9.—Theatres expect to swell their receipts during the national convention of the Fraternal Order of Eagles which opens here today.

Around 50,000 delegates and visitors are in town from all sections of the United States. It is estimated that they will spend approximately $250,000 while here.

Colley in Seattle Post

Seattle, Aug. 9.—William Colley has just been named manager of Jensen-VonHerberg's Liberty here, succeeding Frank Coyle who has been forced to take a leave of absence because of illness. Colley is former manager of J. & V.'s Ballard Roxy. He will be succeeded in that spot by Al "Tweedy" Harris.

Form Exhibitors' Rotary

Albany, Aug. 9.—Exhibitors' Rotary Circuit, Inc., New York City, has been chartered by George R. Coughlan, Thomas M. Russell and George R. Coughlan, Jr.

RKO's Drive For Theatres Here Is Ended

(Continued from page 1)

middle of September, according to announcement.

RKO has taken over from Publix the lease on the Paramount, Syracuse, in a pooling deal which embraces Rochester, where RKO's Palace and Temple are combined with Publix's Century, Regent and Capitol. The pool becomes effective Sept. 1 with both circuits joining in buying, booking and operation.

A pooling arrangement with Warners and RKO has also been completed for Cleveland. RKO has the Palace and Warners the Hippodrome as first runs and the Allen, formerly an independent, is now included in the working arrangement. In the second run classification involved, Warners has the Variety and Uptown, while RKO has the 105th Street. This deal also goes into effect Sept. 1.

Baker's Firm May Lead ASCAP Fight

(Continued from page 1)

& Publishers, it was learned yesterday.

The exhibitors' legal committee, composed of Ed Levy of M. P. T. O. A.; Abram F. Myers, Allied States; Milton C. Weisman, I. T. O. A.; Leopold Friedman, Loew's, and I. E. Lambert, RKO, is scheduled to make a final choice from among three firms still under consideration within the next few days. The other two firms still in the running are Cravath, de Gersdorff, Swaine & Wood, former special counsel for Paramount and other film and theatre companies, and Root, Clark, Buckner & Ballantine, counsel for the Paramount Publix trustees. Baker's firm, however, is regarded as having a clear edge because of its familiarity with ASCAP activities. The firm is counsel for the Pennsylvania broadcasters whose pending anti-trust suit against the society has the backing of all principal radio broadcasters and is scheduled for trial here this fall.

The exhibitors' legal action, also, will closely follow along the lines of the broadcasters' anti-trust suit.

Nichols to Do a Novel

Hollywood, Aug. 9.—Dudley Nichols, who has been on the Fox scenario staff since 1929, has tossed his script pen into the discard for the time being and leaves this week for his home in New Milford, Conn. The writer plans to devote all his time to authoring a novel. His last screen play for the studio was "24 Hours A Day."

Musical Set for Brown

Hollywood, Aug. 9. — Warners have decided to top spot Joe E. Brown in a musical as his next vehicle.

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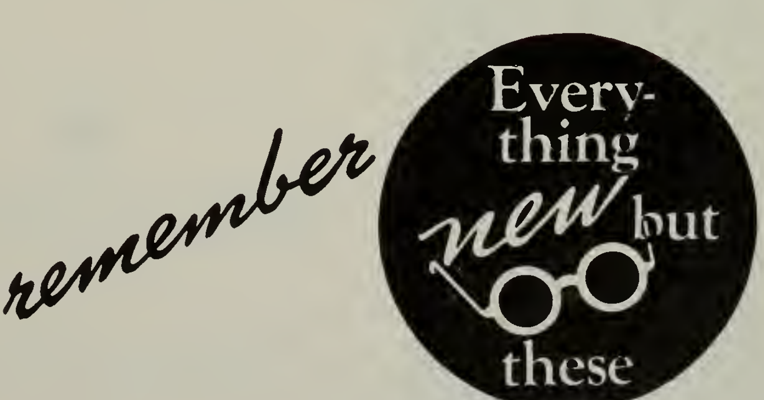

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DIRECTOR

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PRODUCTION

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as
Tien Wang

Una Merkel as Petunia Pratt

Grace Bradley
as
Dolores Dace

"THE CAT'S PAW"

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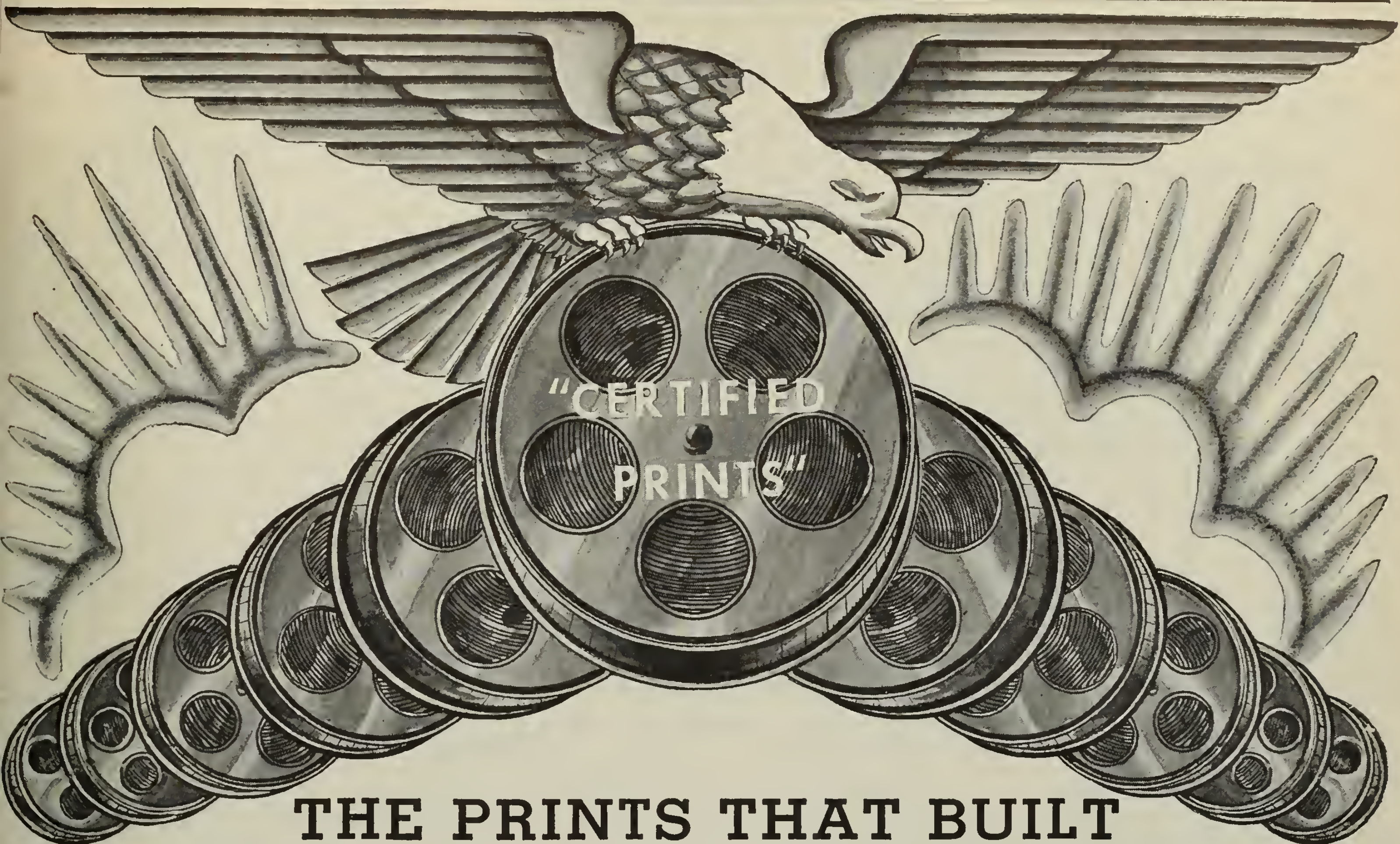

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CONSOLIDATED FILM INDUSTRIES, INC.

NEW YORK HOLLYWOOD

Toeplitz Gets Miss Carroll In First Film

By BRUCE ALLAN

London, Aug. 9 (*By Mail*).—Toeplitz Prod., Ltd., by arrangement with Gaumont British, have signed Madeleine Carroll to play Queen Caroline Mathilde in their first production, "The Dictator." Clive Brook has already been announced for the male lead.

* * *

Paul Stein is planning a business trip to New York to consider offers to direct. He says B.I.P. also has asked him to do a successor to "Blossom Time" with Richard Tauber.

* * *

London Film Productions announced an increase in its capital by £50,900 ($254,500) making a total of £141,000 ($705,000) to provide for the studio extensions and enlarged production plans recently scheduled. New capital is in the form of 50,000 redeemable cumulative first preference shares of £1 ($5) and 1,800 ordinaries at 1/- (12 cents).

* * *

Board of Trade is already investigating the problem of "quota quickies," it is stated unofficially, and will probably be receptive to any suggestions made by the impending C.E.A. deputation. Latter is expected to ask a revision of the Films Act providing for an adjudication of entertainment values before any film is admitted to registration.

* * *

Labor troubles continue to look threatening. National Association of Theatrical Employes has rejected the wage and hour schedule, arrived at by the joint conciliation board. Labor spokesmen condemn film wages generally by comparison with those in legitimate theatres. Threat that legislation will be asked for, and possibility of an appeal for public support, through trade unions, against houses paying low rates. Negotiations proceeding in hope of peaceful settlement.

* * *

Fox reported to be seeking its own London studio, with the intention of making British pictures on a bigger scale. Has previously used independent units.

Pittsburgh Gets Revivals

Pittsburgh, Aug. 9.—The recent shortage of product has been sending a number of neighborhood houses into a series of revival weeks. The idea has been successful in several spots and is expected to spread.

In East Liberty, the Family, Harris key spot, is now considering a number of revivals, with a daily change as against the regular split-week policy.

Para. Truck in Seattle

Seattle, Aug. 9.—Paramount's "theatremobile" is in this city for a few days, on the first lap of its nationwide tour. The truck and its 20-minute sound trailer for coming Paramount films is gaining wide attention.

Variety Club Chatter

Albany

Albany, Aug. 9.—Arrangements have been concluded for the "Monte Carlo Night" to be held Saturday, Aug. 11. Chairman Alec Sayles, who is back in harness after a brief vacation, has set up plans to make this event the crowning achievement of the club's summer activities.

Tracy Barham recently resigned from Warners, now is located in Marion, O., having made connection with Publix.

Canvasmen have decided to hold an annual golf tournament, and the initial affair is to be held Aug. 24, at the Shaker Ridge Country Club. Handicap system will prevail, to give all barkers and "outside duffers" an equal opportunity to participate.

Dick Hayes, Paramount, has a summer cottage at Lake George, and has issued a standing order to barkers that he desires to be their host on week-ends.

A number of members have signified their intention to attend the outing staged by the local Warners' Club at Babcock Lake on Aug. 15. A ball game between Warners and the Variety Club is scheduled.

Cincinnati

Cincinnati, Aug. 9.—The first annual picnic of Tent No. 3, held last Monday, was attended by about 300. Proceeds are to be turned over to charities in the industry.

Chief Barker Allan S. Moritz is home ill. Latest reports, however, indicate that he will be back on the job soon.

E. V. ("Dinny") Dinerman, advertising and publicity chief of RKO, is east on a two weeks' vacation.

The prize chows of Barker Cliff Boyd captured every prize at the various dog shows in which they were exhibited recently.

Cleveland

Cleveland, Aug. 9.—Variety Club is mapping an elaborate entertainment program for the late summer and early fall. Heading the calendar is a golf tournament Aug. 23 at the Beechmont Club. M. B. Horwitz is chairman of the committee. This will be followed by a clambake and dinner dance Sept. 14 for members, their wives and guests, with golf as an added attraction. Nat Lefton heads the committee, which also includes Dick Deutsch, Nat Barach and S P. Gorrel.

Detroit

Detroit, Aug. 9.—The Grosse Pointe Yacht Club and the Lochmoor Country Club will be the setting for the midsummer frolic of Variety Club Aug. 21.

Starting early in the morn guests who golf will "tee off" at the Lochmoor Club. Those who do not play golf will have an opportunity to participate in the contests and games at the yacht club. A buffet luncheon will be served at the clubhouse at noon. The afternoon will be filled with various amusements, including the finals of a citywide bathing beauty contest.

A floor show, to include the pick of the professional talent in the city, will follow dinner. Dancing in the ballroom and on the lawn bordering Lake Ste. Claire will be other features. A midnight floor show will conclude the festivities.

Pittsburgh

Pittsburgh, Aug. 9.—Barker Jerry Mayhall is now Pittsburgh's leading musical contractor. Has signed a year contract with the William Penn Hotel in charge of all music and entertainment—has the band at Pittsburgh's newest and smartest place, "The Twin Gables," and conducted the 90-piece symphony orchestra on "Good Samaritan Day" July 29.

Barker Bernie Armstrong has signed a long-term contract as featured organist at the Harris-Alvin.

Barker Bill Benswanger home after the eastern trip with his team—the Pittsburgh Pirates.

Barker Dave Broudy shot a 76 for the city park championship at golf, but failed to finish with the winners in the finals.

Barker Sullivan, for years Radio sales manager, has accepted a position with Seagram Distillers as local representative.

"Jane Eyre" Held Over

Omaha, Aug. 9.—"Jane Eyre" scheduled for a four-day showing at the Brandeis, did enough business to warrant a three-day holdover. The picture is on a dual bill with "Midnight Alibi."

Hollywood Personals

Hollywood, Aug. 9.—About 60 actors and actresses of "The Captain Hates the Sea" company at Columbia, all chipped in and presented Nate Watt, assistant director to Lewis Milestone, with a very expensive wrist watch. . . . Charley Tobias is penning a couple of nice songs for Binnie Barnes in Universal's "What Ladies Dream." . . . Noah Beery has been spotted in "Kentucky Colonels" at Radio. . . . ditto Helen Westley. . . . Columbia's fourth Tim McCoy Western, now in preparation, has been titled "Burnt Ranch." . . . Clark Gable got tired of dishing out four bit pieces to a group of boys selling wilted geraniums at the studio gate, whose number multiplied day by day, so he bought them off all at once and is now using the other gate. . . . Chic Sale's option for a third short has been lifted by M-G-M. . . . Una Merkel is vacationing at Del Mar with her hubby. . . . Ramon Novarro back from his South American concert tour and slated for "In Old Vienna" and "Her Excellency's Tobacco Shop" at M-G-M.

Turkey Turns To American Sound Films

Washington, Aug. 9.—American films are steadily gaining in popularity in Turkey, according to a report submitted to the U. S. Department of Commerce by Commercial Attache Julian E. Gillespie in Istanbul.

Of the 176 sound pictures released in Turkey during 1933, about 41 per cent were American, 29 per cent German, and 17 per cent French. The respective ratios for 1932 were 37, 27 and 25 per cent. During the first four months of 1934, 66 sound pictures were released, of which American films accounted for 55 per cent, French 23 per cent, and German 17 per cent.

The favorable position obtained and maintained by American and German motion pictures in Turkey has been due to the regular supply of films in either dubbed or originally-cast French versions. The Turkish public generally prefers films in French.

At the beginning of May, 1934, there were 61 theatres wired for sound in Turkey with an aggregate seating capacity of 34,000. Eighteen of those were built during 1933 and the first four months of the current year.

* * *

The Philippine censor board viewed 2,791 films in 1933, 861 more than during the previous year, according to a report to the U. S. Department of Commerce by Acting Trade Commissioner Carl H. Boehringer.

Of the total 2,766 were passed without eliminations, 13 passed with cuts, and only two were rejected in toto.

* * *

The 1933-34 film season just closed in Greece was comparatively satisfactory from every point of view, says Commercial Attache K. L. Rankin in a recent report to the U. S. Department of Commerce.

Attendance was estimated 20 to 25 per cent higher and releases increased fully 25 per cent.

A reduction of the ticket tax from nearly 60 per cent to an average of 27½ per cent increased box-office receipts. This gain was partly offset by higher prices paid for films in terms of paper drachmas, but on the whole both film exchanges and theatre owners did fairly well, most of them closing the season with substantial profits.

Preliminary figures indicate that the total of sound releases between Oct. 1, 1933, and May 30, 1934, was about 250 as against 195 for the corresponding period of the '32-'33 season.

* * *

Picture theatres in Paris paid 46,870,197.66 francs in taxes during 1933 out of an income of 338,258,410.90 francs, according to figures from the French Ministry submitted to the U. S. Department of Commerce by Assistant Commercial Attache Daniel J. Reagan.

Fox to Have a Picnic

Hollywood, Aug. 9.—Fox will hold a picnic for its employes Aug. 12 in North Hollywood, at which Mitchell and Durant, John Boles, Alice Faye, James Dunn, Ketti Gallian and Stepin Fetchit will entertain. Proceeds will go to the relief fund of Fox employes.

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REACH FOR THE 1934-35

MOTION PICTURE ALMANAC

1790 Broadway
New York

Color, Stereoscopy Predicted by Lasky

HOLLYWOOD, Aug. 9.—Natural color and third dimension will be put into practical use in pictures within the next decade, it is predicted by Jesse L. Lasky.

"Technically, the screen has made rapid progress in the past 20 years, and I firmly believe that within the next 10 years there will be even greater mechanical advances," said Lasky.

Both of these scientific developments would probably be necessary to rejuvenate the industry and send box-office grosses soaring, he said.

"Meanwhile," concluded the producer. "It is up to us who make the pictures to improve the entertainment quality of our product, to keep pace with the progress of the technician. Unfortunately we have not done so in the past, and the future of the screen depends as much upon us as on the inventive geniuses who contribute the mechanical improvements."

Two Nebraska Spots To Open; Six Close

OMAHA, Aug. 9.—Two new theatres will open soon in Nebraska. The Home, Crofton, Neb., is being constructed from the ground up by Clem Tramp; the Wood River, at Wood River, is a renovated building in which all new equipment is being installed by John Lyhane.

The Lakeview, at Lakeview, Iowa, has been sold by E. B. Hamm to W. O. Galloway.

The following have closed in Nebraska: Lyric, Edgar; Lawrence, Lawrence; Reiber, Campbell; Springview, Springview; Crystal, Peru, and Star, North Bend.

The Strand, in Sidney, Ia., has been closed.

Hold "She Loves Me"

CHICAGO, Aug. 9.—For the first time in the history of the B. & K. Chicago a picture is being held for a second week. "She Loves Me Not," with Waring's Pennsylvanians smashed attendance records the first week ending tonight, rolling up a gross of over $65,000.

Detroit Smoking Ban Up

DETROIT, Aug. 9.—Special permits for smoking in theatres will be required under the terms of a proposed ordinance approved by the Board of Fire Commissioners. It will be presented to the Common Council. Fire Marshal G. S. Goldwater says smoking is prevalent in non-fireproof buildings.

2nd Dividend Coming

HOLLYWOOD, Aug. 9.—W. Ray Johnston today announced that Monogram will declare a dividend of one and one-quarter per cent on its stock on Aug. 15. The payment will be the second to be made by the company this year. The first, of equal amount, was made May 15.

Hal Roach Under Knife

HOLLYWOOD, Aug. 9.—Hal Roach underwent an operation for appendicitis today at the Good Samaritan Hospital. He was stricken as he was about to board his new plane for New York. Tonight the producer was reported doing "nicely."

MOTION PICTURE DAILY'S HOLLYWOOD PREVIEW

"The Fountain"

(*Radio*)

HOLLYWOOD, Aug. 9.—Plot lethargy retards this thoughtful film, evolving, however, well-accoutred mental discussion of things metaphysical among swanky folks who stir the sympathies intermittently.

"The Fountain" as a novel may have had literary style and a probing human interest, but the emotional impact of the film is but skin deep. Intelligence there is in the celluloid version in nearly every department of creative activity. However, there is a paucity of sheer picture movement, speed, action and heart appeal—elements which make moving pictures move. Comedy is ignored.

The problem of English officers interned in Holland during the war promises much dramatically at the start of the film, but once socializing begins at the castle where the pro of this and the pro of that are cogitated, the cardiac region remains untouched, except by Paul Lukas, a maimed German officer returning to his wife, and Ann Harding, an English girl in love with Brian Aherne, British officer. Jean Hersholt's human performance stands out with that of Lukas. Miss Harding and Aherne look well, act well, but philosophical platitudes interfere with the romance and drama.

John Cromwell's direction has quality and artistry.

"The Fountain" may be appreciated by sophisticates who have read the book leisurely, but the film is a very talkative picture. Running time, 83 minutes.

"You Belong to Me"

(*Paramount*)

HOLLYWOOD, Aug. 9.—This is a tear-jerking, colorful, entertaining yarn of backstage vaudeville life. Lee Tracy, credited with top billing, plays second fiddle to seven-year-old David Jack Holt, who dominates such seasoned actors as Helen Morgan, Helen Mack, Arthur Pierson and several others.

Aimed at the heart, the yarn details the unhappy, tragic life of Holt, son of the widowed Miss Mack, who cannot reconcile himself to his mother taking on another partner, Pierson, who later deserts her after sending Holt to a military school. Unable to merge himself in the school regimentation due to his close association with the show business, Holt keeps in touch with the comic Tracy, his best pal.

Tracy gives a fine, sympathetic performance, with Miss Mack excellent in the role of a loving mother whose life is empty. Pierson pleases as the heavy and Miss Morgan's typical blues singing, along with her acting, is well done from a few original numbers by Sam Coslow. Alfred Werker's direction makes the best of the William Slavens McNutt-Grover Jones adaptation of the stage play "Fifty-two Weeks for Fleurette."

Summarily, the production is wholesome entertainment with plenty of opportunity to capitalize on the present cycle for heart and kid pictures. Running time, 70 minutes.

"One More River," yesterday's opener at the Radio City Music Hall, was reviewed by wire from Hollywood on Aug. 3.

Ohio Editor to Bar Ads On Objectionable Films

HAMILTON, O., Aug. 9.—The *Journal-News* here has taken a stand against accepting further paid advertising on what it considers objectionable pictures and it will also bar reading notices.

In deciding what pictures are objectionable, the editor says he will depend on advance notices, reports from other cities and general hearsay as to the moral content of films.

In an editorial explanation of the policy the paper says: "Despite the fact that the Catholic and Protestant churches and the leaders of the Jewish faith have declared against the vicious and lewd movies the picture show interests do not hesitate to show such pictures."

Jewish Women in Drive

The cooperation of the National Council of Jewish Women in the drive against objectionable films was voted yesterday by its directors at a meeting here. That the council is opposed to censorship was emphasized by Mrs. Arthur Brin, president.

Pastor for Adult, Child Film Labels

KANSAS CITY, Aug. 9.—Classification of theatres into two groups—for adult and family entertainment—is the solution to the problem of juvenile suitability of films proposed by Dr. Joseph Myers, associate pastor of the Community church here.

"Our experience leads us to believe the most important thing parents can do regarding the movies at the present moment is to help their children to select very carefully the pictures they see, and to achieve emotional detachment regarding all they see," is the conclusion drawn by Dr. Myers.

"Exhibitors could help greatly if they would agree to designate certain theatres for adult entertainment only and others for family entertainment or for children, instead of offering inducements to children to attend all the theatres and every kind of picture."

Del Rio Denial Good Publicity in Mexico

MEXICO CITY, Aug. 9.—Dolores Del Rio wrote the local Warner offices a letter emphatically denying a tale published by a Los Angeles Spanish tabloid that she was high hatting Mexico. She asserted the country was her dearest love and that she would visit it as soon as her next picture is finished.

Local newspapers fell hard for the publicity.

Trans-Lux in Deal For a Third House

(Continued from page 1)

Reade, will be remodeled within the next few weeks provided the deal is closed.

Trans-Lux now has theatres at Madison Avenue, between 59th and 60th Sts., and Broadway, between 49th and 50th Sts.

Schnitzer Abandons Production Activity

(Continued from page 1)

the leading organization of its kind here. Schnitzer let it be known that he intended to devote all his services to the new venture.

Start Second in Egypt

WASHINGTON, Aug. 9.—Encouraged by his first production, "Fils a Papa," Youssef Wahby, Egyptian showman and star, has started a second picture to be called "La Defense," according to a report to the U. S. Department of Commerce by Commercial Attache C. E. Dickerson, Jr., in Cairo.

"La Defense" is the first attempt to produce an entire talking picture in Egypt with Egyptian artists exclusively, and it is being prepared in the small studio recently constructed by Wahby, equipped with Tobis sound system.

King City Spot Burns

KING CITY, Mo., Aug. 9.—The Lincoln Theatre Building was damaged when fire broke out in a warehouse in the rear of the E. M. Beck Grocery Co. The grocery building and a building occupied by the Charles Levy Clothing Co. were destroyed. The damage was estimated at $50,000.

The Leading Daily Newspaper of the Motion Picture Industry

MOTION PICTURE DAILY

Alert, Intelligent and Faithful Service to the Industry in All Branches

VOL. 36. NO. 35 NEW YORK, SATURDAY, AUGUST 11, 1934 TEN CENTS

Shorts Down; But Features Gain by 155

Indies Jump Output by 183, M-G-M Reports

A heavy decrease in shorts accompanied by an increase in features is the prospect for the 1934-1935 season, a compilation prepared by M-G-M reveals. The loss in shorts is given as 384 and the gain in features as 155.

The jump in feature production, the survey shows, is made possible by increased activity planned for the new season by independent producers, since the number of features on the schedules of major companies shows a falling off, the total for 1934-1935 being 378 as against 406 for 1933-

(Continued on page 4)

Pope Praises U. S. Clean Film Drive

Castel Gandolfo, Italy, Aug. 10. — Pope Pius today praised the clean film drive of the Catholic Church in the United States.

His remarks were contained in an address to a delegation of representa-

(Continued on page 3)

10% Admission Levy Introduced in N. O.

New Orleans, Aug. 10.—A city ordinance was introduced here today providing for a 10 per cent tax on all admissions over 10 cents. The purpose of the levy will be to raise funds for relief of the unemployed.

Besides theatres, the tax is aimed at athletic contests, concerts, minstrels, night clubs, dance halls, excursion steamers receiving and discharging

(Continued on page 4)

Old Spanish Custom

Mexico City, Aug. 10.—An optical supply dealer here has been doing a good business renting ear trumpets to hard-of-hearing Mexicans in theatres.

The films are in English as a rule and the renters don't understand the language. Their desire to hear was a mystery until it was learned they wanted to join in the disturbance whenever the sound went wrong.

Para.-Marcus Deal Approval Goes to Court

Objections of Creditors Overruled by Joyce

A report recommending approval of the transaction by which Paramount Publix takes back the Publix Salt Lake circuit from Louis Marcus was forwarded yesterday to the U. S. District Court here by Special Master John E. Joyce following a creditors' hearing at which objections to the transaction were withdrawn.

The objections had been made on Thursday by Malcolm Sumner, attorney for holders of Paramount Publix bonds in the aggregate amount of $15,000, and as a result of the objections the hearing was adjourned until yesterday. Sumner told the court

(Continued on page 4)

Consolidated Moves To Invade England

Consolidated Film Industries is planning the construction of laboratories in England. Ben Goetz, executive vice-president of the company, sails today on the *Paris* for England to confer with British film executives, principally Alexander Korda, of London Films, and will announce his company's decision shortly after his arrival.

"The field in England is a large one and we intend to take advantage of the opportunity offered us, but we have reached no definite decision as yet," Goetz said yesterday.

"World Moves" Tops Manhattan, $72,000

With a take of $72,000 at the Music Hall last week, "The World Moves On" was the big noise among Broadway's first runs.

"Girl from Missouri" stirred the Capitol out of its recent lethargy by going to $41,000. "House of Rothschild" held up to $25,000 in its third week at the Rivoli. "Elmer and Elsie" took a weak $10,500 at the Paramount.

No Rocky Mountain Move Until November

Reorganization of Fox Rocky Mountain, comprising 55 theatres, is not expected to be completed until November along with other Fox West

(Continued on page 4)

How They Voted

Here's the way Campi members voted on the doubles penalty clause in the Milwaukee clearance and zoning schedule, which was protested Thursday. The decision was six to four in favor of dropping it.

For eliminating the clause: R. H. Cochrane, Edward Golden, Nathan Yamins, S. R. Kent, Charles L. O'Reilly and J. Robert Rubin.

Against: Leslie E. Thompson, Harold S. Bareford, Ed Kuykendall and Austin Keough.

Philadelphia Complains On New Contracts

Philadelphia, Aug. 10. — Some contracts being offered in the Philadelphia territory violate the code, it is charged by the M.P.T.O. of Eastern Pennsylvania, Southern New Jersey and Delaware in a resolution passed at a meeting of the organization today.

Charging that this is an "abortive attempt" to circumvent the code on cancellations George P. Aarons has sent a letter of protest to Campi. Authorization for the move has been given by the board of managers of the unit.

Aarons' letter follows:

"Certain distributors are not using the uniform contract as provided in the code. They have also included

(Continued on page 3)

Campi Rules Vaude Acts Get Minimums

Acting on recommendations by the code vaudeville committee, consisting of C. C. Moskowitz, Sam Dembow, Jr., and Leslie E. Thompson, Campi has decided that vaudeville performers must be paid the minimum of $7.50 a day regardless of the number of performances.

No performer shall be booked to play in more than one theatre a day

(Continued on page 3)

Studios Put Clamps On Star Interviews

Hollywood, Aug. 10.—Studio publicity directors have decided to clamp down on unrestricted fan magazine interviews with contract players.

Hereafter, under the terms of a

(Continued on page 4)

Campi Grants Cancellation On U. A. List

Rules in Case Brought by Indiana Exhibitor

Campi has ruled that United Artists comes under the 10 per cent cancellation clause of the code when exhibitors buy all of the product offered. A decision was handed down yesterday by unanimous vote.

On Tuesday an appeal committee, comprising William J. Kupper of Fox, Charles L. O'Reilly, head of the T. O. C. C., and Leon Rosenblatt, New Jersey and Staten Island circuit operator, recommended that U. A. cancel a $12.50 picture which was sought by H. R. Evans of the Albion, Albion, Ind. Edward Raftery of the legal firm of O'Brien, Driscoll and Raftery defended U. A. at the appeal hearing in

(Continued on page 3)

Cleveland Stay on Doubles Continued

Cleveland, Aug. 10.—The war on duals in Cleveland gained a point today when Common Pleas Judge Lee Skeel overruled a motion to dissolve the injunction granted the Haltnorth Theatre Co. restraining the Family Theatre, operated by Henry Kaplan and Sol and Edward Singer, from double featuring. The case was

(Continued on page 3)

Los Angeles Board Rushing Clearance

Los Angeles, Aug. 10.—Efforts of objectors to delay action on the new clearance schedule are being opposed by the board. Another day of wrangling was followed by a night session, and the board intends to complete the schedule tonight if possible.

Watermelons

New Orleans, Aug. 10.—A certain neighborhood theatre manager advertised that on a certain night he would give away watermelons. Rival managers bought up all the available melons, so he had two carloads shipped in and gave away watermelons every night until they were gone. Rivals are threatening a code complaint.

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Saenger Plan Approved

NEW ORLEANS, Aug. 10.—Creditors' claims against Saenger Theatres and Saenger Realty Corp. must be mailed to the clerk of the Federal court here accompanied by a sworn deposition of the claimant, it was ruled today by the court in accepting a motion made by E. V. Richards, trustee of the Saenger debtor corporations.

Time for filing of the claims expires Oct. 10 unless extended in the meantime by the court.

Blofson Dinner Planned

PHILADELPHIA, Aug. 10.—Al Blofson, retiring as manager of the local First Division exchange, will be tendered a dinner by friends in the industry on Aug. 13. Blofson recently joined Penn Poster Co.

Shiffrin Joins Volck

HOLLYWOOD, Aug. 10. — William Shiffrin, formerly with the Leland Hayward office in New York, has joined George Volck here as secretarial assistant.

Hammons Gets Baerwitz

E. W. Hammons, president of Educational Pictures, has signed Sam Baerwitz for the production of a two-reel comedy.

Form Topical Pictures

Topical Pictures has been formed to produce here. Monty Shaff, former assistant production manager at Brooklyn Vitaphone studio, who heads the new company, said yesterday.

Report George Hill, Director, 39, Suicide

HOLLYWOOD, Aug. 10.—George W. Hill, the director, was found dead at his beach home today with a bullet in his head. After investigation the authorities reported the case as suicide. Ill health caused by a skull fracture suffered in an automobile accident several months ago was given as the motive.

Hill, the former husband of Frances Marion, the scenarist, was 39 years old. Surviving are his parents and a brother.

The director was a veteran cameraman before joining M-G-M, where he had been since 1924. At the time of his death he was engaged in directing "The Good Earth." Hill started in pictures in 1908 as a stage hand for David W. Griffith. "Min and Bill," "Hell Divers" and "The Big House" were among the pictures directed by him.

Liberty Issues Book

Liberty Pictures has issued what is claimed to be the first announcement book on a completed program. It gives titles and full details on eight 1934-35 features now ready for distribution.

The book, 11 x 14, is printed on white stock in red, blue and black and contains 10 pages.

Mexico City Has 55

MEXICO CITY, Aug. 10.—Film theatres here have been increased to 55 with the opening of the Cine Roma, 3,000-seat neighborhood house in a section where many Americans live. Four more neighborhood houses are under construction.

Zanuck Buys "Follies"

Darryl F. Zanuck, production head of 20th Century, has bought the film rights to "Les Folies Bergere," standard French revue for many years, and has placed it on the production schedule for the coming season.

Nufeld IEPA Manager

PHILADELPHIA, Aug. 10.—Oscar Nufeld has quit the independent distribution ranks to become manager of the Independent Exhibitors' Protective Ass'n., a post he has already assumed.

RKO Prospect Open; Closed by the Mayor

The RKO Prospect, Brooklyn, was reopened yesterday after having been closed one day by order of Mayor LaGuardia. The closing of the house was the result of a "Shirley Temple Resemblance Contest" held in the lobby last Saturday without permission from the city. Mayor LaGuardia had ordered License Commissioner Moss to revoke the license temporarily as a disciplinary measure.

Joseph Freytag, manager, had applied to the S. P. C. C. for a permit to hold the contest on the stage, but his application was denied by both Charles H. Warner, superintendent of the society, and Mayor LaGuardia. Instead, he held it in the house lobby.

Attempts to reach RKO officials for comment yesterday were unsuccessful.

N. Z. Film News Here

First issue of *New Zealand Film News* has been received in this country. It is the first trade publication in New Zealand and it is being published at Wellington with Donald D. McDonald as managing editor. The book consists of 19 pages, 9¼ x 12, and is freely illustrated. It leads off with an interview with Herbert W. Shortt, president of the N. Z. M. P. Exhibition Ass'n. Industry news is covered, there is an exploitation page, and release charts are included.

DeMille in Denver

DENVER, Aug. 10.—Cecil B. DeMille opened his lecture tour here yesterday. His next stop will be Kansas City, where he will speak Sunday. He will be in New York Monday and will speak at Teachers' College there on Wednesday.

Close Butterfield Deal

Jules Levy has closed with the Butterfield circuit for RKO's product in 80 houses. Nat Levy, Detroit manager, and E. C. Beatty, general manager of the Butterfield circuit, negotiated the deal.

Jeanne Cohen Send-Off

Jeanne Cohen of Columbia was given a send-off luncheon at the M. P. Club prior to her departure for the coast yesterday.

Loew's Off 1⅝ on Big Board

	High	Low	Close	Net Change	Sales
Columbia Pictures, vtc	27¼	26¾	26¾	+ ¼	300
Consolidated Film Industries	12¼	12¼	12¼	+ ½	100
Eastman Kodak	99	98	98	—1¼	100
Fox Film "A"	10⅝	10¼	10¼	— ¼	200
Loew's, Inc.	27½	25¾	26⅛	—1⅝	1,900
Paramount Publix, cts	3⅛	3	3	— ⅛	3,300
Pathe Exchange	1¼	1⅛	1⅛	.....	1,000
Pathe Exchange "A"	14	13⅜	13⅜	— ⅞	300
RKO	2⅛	2	2	.....	1,200
Warner Bros.	4⅛	4	4	.....	3,200

Trans Lux Up ⅛ on Curb

	High	Low	Close	Net Change	Sales
Technicolor	12½	13⅜	12⅜	— ½	600
Trans Lux	2	2	2	+ ⅛	100

Para. Publix Bonds Rise Two

	High	Low	Close	Net Change	Sales
General Theatre Equipment 6s '40	5¾	5¾	5¾	— ¼	2
General Theatre Equipment 6s '40. ctf	6	6	6	.....	1
Keith B. F. 6s '46	60½	60½	60½	+ ⅛	1
Loew's 6s '41. ww deb rights	101¼	101	101¼	— ¾	8
Paramount Broadway 5½s '51	37	37	37	— ⅞	1
Paramount Publix 5½s '50	41	41	41	+2	8
Warner Bros. 6s '39, wd	54	54	54	— ½	5

Purely Personal

HAROLD B. FRANKLIN, E. M. GLUCKSMAN, HENRY RESTON, LOUIS PHILLIPS, LOUIS NIZER, H. R. EBENSTEIN, LOU METZGER, IRWIN KLEEBLATT, J. BERNAT, J. C. BARNSTYN, JACK SHAPIRO, LEO LUBIN, HARRY SHIFFMAN, ED SCHNITZER and LEE OCHS were spotted among the diners yesterday at the M. P. Club.

FRED JACK of Warners accompanied HAROLD ROBB of Oklahoma City to New York. ROBB leaves a week from today while JACK will stay on for an indefinite period.

IRVING SHIFFRIN of the RKO publicity department leaves today for a two-week vacation at Jeffersonville, N. Y. RUTGERS NEILSON returns Monday.

CARLOS HARRISON of the U. A. exploitation department leaves today for Cincinnati where he will be married to VIRGINIA REIFF early next week.

A. J. MOREAU, district manager for Mullins & Pinanski, is now the proud father of a seven and a half pound boy. Mother and son are both doing fine.

JACK SULLIVAN says he'll be around until the World Series. He says he's always managed to be here when the big games are on.

MARCEL ACHARD, French playwright, who wrote the French version of "The Merry Widow" for M-G-M, left today on the *Paris*.

J. C. BERNARD, French producer of documentary films, is returning to New York on the *Ile de France*. Scenes are being made on the ship.

JIM ALEXANDER, Pittsburgh Monogram franchise holder, is in town for a few days.

L. L. DENT and HARRY NOLAN of Westland Theatres in Colorado and Wyoming are in town.

H. R. FALLS, buyer for the Griffith circuit in Oklahoma, is in town with R. E. GRIFFITH.

JEAN COUPAN of Cosmofilm, Paris, will arrive on the *Ile de France* Tuesday.

BOB SISK was laid up with a lame leg over the week-end.

JOE BRANDT and MRS. BRANDT sail today on the *Monarch of Bermuda*.

Para. Promotes 12 On Southern Staff

A dozen promotions have been made by Paramount in the south. They are:

Scott Lett, head booker, Atlanta, to salesman, Memphis; Karl Chalman, ad sales manager, Atlanta, to salesman, New Orleans; E. G. Johnson, assistant booker to head booker, Atlanta; Buford Stiles, head shipper to assistant booker, Atlanta; W. R. Word, assistant shipper to head shipper, Atlanta; K. E. Miller, ad sales assistant to ad sales manager, Atlanta; Joe Young, ad sales assistant to ad sales manager, Memphis, replacing C. T. Chapman, who recently resigned; Tom Watson, assistant booker Charlotte, to head booker, Memphis; Maxine Wilkinson, from booking department to branch manager's secretary, Memphis; Katherine Travis, from shuttle sheets to booking department stenographer, Memphis; Lucille Spigener, advanced to contract clerk and shuttle sheet operator, Memphis.

Lichtman Signs B. & K.

Al Lichtman, vice-president in charge of sales for United Artists, has closed a deal with B. & K. for his company's 1934-35 output.

Campi Grants Cancellation On U. A. List

(Continued from page 1)

New York. The complainant was absent, but the committee accepted the records of the hearing before the Indianapolis grievance board.

MOTION PICTURE DAILY on Thursday exclusively reported the recommendation of the committee. In this case the exhibitor claimed he bought 26 pictures offered by U. A., one of which was later withdrawn by the distributor. Because the exhibitor bought all the product offered, the board held that he was entitled to the cancellation asked.

New Haven Schedule Next Before Campi

New Haven's clearance and zoning schedule will be the next on Campi's calendar for general protest. Arguments pro and con will be heard at the next session, Aug. 23.

This schedule, like the Milwaukee plan, has a clause pertaining to duals which will have to come out. The Milwaukee schedule has been returned to that city for a general revamping. Campi has made a number of suggestions to the local board, which is expected to meet next week to rewrite the plan.

The Milwaukee plan as drawn by exhibitors there was passed largely as written, it was revealed yesterday. If Campi had been evenly divided on the issue of the duals' penalty clause, the ruling of the Milwaukee board would have been automatically affirmed. As it happened, one vote caused defeat of the plan.

Would Enjoin Pickets

GOSHEN, Ind., Aug. 10.—An injunction petition filed here by Marie Bowser, operator of the Ban-Box at Elkhart, Ind., alleges that the National Industrial Recovery Act has no application to intrastate business.

The petitioner is seeking to enjoin picketing. A picket has been carrying a sign up and down the sidewalk in front of the theatre. This sign bears these words: "Ban-Box Theatre has not signed the P. R. A., President's Recovery Act, and is not complying with the N. R. A. Theatre Code."

To Push War on Duals

LOS ANGELES, Aug. 10.—The local clearance and zoning board intends to press its fight to eliminate duals in southern California. Already 95 per cent of exhibitors have pledged themselves to end duals. A spokesman for the board today stated a feasible plan that would not interfere with the NRA would be worked out to this end.

Walter Reade Protests

Walter Reade has directed a protest to Robert A. O'Brien, secretary of the Dog Racing Commission of New Jersey, against rebates and cut rate tickets. He claims they are violations of the amusement code.

Pope Praises U. S. Clean Film Drive

(Continued from page 1)

tives of the International Federation of the Cinematographic Press.

After declaring that it was the duty of the film press not to further the interests of immoral pictures he said:

"It is a great relief to know that a strong resistance has been put up in several countries against immoral films, in which several governments have taken part. Prominent among these is the Italian government.

"Especially praiseworthy and noble is the crusade by the United States Episcopate, which now has been joined by representatives of other religions and by honest people independently of their creeds.

"We can say that while the results already attained are encouraging, everyone in the United States still must support these noble efforts."

M-G-M Settles Suit Of Russian Princess

A settlement was made by M-G-M yesterday with Princess Irena Youssoupoff to end all possibility of future libel suits arising from the exhibition of "Rasputin and the Empress."

One of the terms of the agreement was that M-G-M would not appeal to the British House of Lords a verdict of $125,000 against the company recently upheld by an English appeals court. The princess had charged that the character of Natasha in the film showed her in a bad light.

The princess on her part agreed to withdraw an action pending in the Supreme Court here and to refrain from bringing any future suit in any part of the world against producer, distributor or exhibitor.

M-G-M will insert in the film a statement that the part of Natasha is purely fictional and that use of the titled Russian's name for exploitation purposes has been forbidden.

Mrs. Barnett Married

DANVILLE, Ind., Aug. 10.—Mrs. Elsie L. Barnett, owner and manager of the Royal Theatre here, and Edgar M. Blessing, an attorney, were married at Christ Church on the Circle at Indianapolis. Immediately following the wedding they started a tour of the western states where they will remain for several weeks.

Ampa Seeking Ideas

Ampa is in the market for suggestions for its "Ampa Revels" revue, which will be put on for the benefit of members some time next month. Anyone playing an instrument or having any other latent talents is urged to bring them to the fore in the show.

Albany Tournament Set

ALBANY, Aug. 10.—Plans are complete for the first golf tournament of Variety Club at the Shaker Ridge Country Club Aug. 24. It will be a stag affair followed by a dinner at 7:30 in the evening.

"Fountain" RKO's First

RKO's first release on the 1934-35 schedule will be "The Fountain," set for Aug. 31.

Praises Decision

Asked to comment on the decision of Campi eliminating dual penalty clauses in clearance and zoning schedules, Edward Golden, general sales manager for Monogram, stated:

"They did a good job and they did it well. There's nothing more that I can say."

Cleveland Stay on Doubles Continued

(Continued from page 1)

brought to test the legality of the agreement signed by exhibitors in Greater Cleveland to end duals. The agreement went into effect July 8.

Judge Skeel's ruling followed a request made by him to the attorneys for the defendants to submit briefs on the legality question. From a study of the briefs the court interpreted the agreement as legal and binding.

Wobber Predicts Big Things Due for Fox

Declaring that Fox has the manpower and womanpower throughout the country, Herman Wobber yesterday told the New York sales force that Fox is headed for big strides next season. He pointed out that with the powerful sales setup at the New York branch, the local exchange should come out on top next season.

Wobber mentioned the particular drawing power of Will Rogers, Shirley Temple and Warner Baxter and stated that other studios are constantly making bids for them on loan deals. He added that the pictures depended on the sales force.

Other speakers were John D. Clark, general sales manager, Harry Buxbaum and Roger Ferri. Also attending were William Kupper, E. C. Grainger, Nat Finkler, William Sussman, Charles E. McCarthy, Arch Reeve, Clarence Hill and other home office executives.

DuWorld Sets Two Deals

Du World has closed a deal with First Division Exchange for distribution of "Bride of Samoa" in New York, New Jersey, Ohio, Pennsylvania, Michigan, New England, Maryland, District of Columbia, Virginia, West Virginia and Kentucky. Capitol Film Exchanges have bought the feature for Illinois, Indiana and Wisconsin.

Deny Boyd Quitting Fox

PHILADELPHIA, Aug. 10.—Rumors circulated here for the last week that Al Boyd, operator of the Fox, would withdraw from operation were denied today.

Ostrer Sails on Aug. 18

LONDON, Aug. 10.—Mark Ostrer has definitely set his sailing date as Aug. 18. He has made reservations on the *Aquitania*.

"River" in Strong Start

"One More River" got off to a flying start at the RKO Music Hall by grossing $12,000 the first day.

Philadelphia Complains On New Contracts

(Continued from page 1)

in said contract clauses giving them the privilege to allocate pictures after they have been cancelled.

"It is offered as a direct violation of the code covering cancellation privileges therein recited and is an abortive attempt to circumvent the intent, purpose and provisions of the motion picture code.

"It is suggested that all of these distributing companies, immediately submit to the exhibitors for the renting of 1934-35 pictures the uniform contract as provided in the code. It is further requested that Code Authority immediately take steps under the power given it by the motion picture code, to bring about the necessary change in order that the exhibitors may be fully protected as provided for in the code."

Campi Rules Vaude Acts Get Minimums

(Continued from page 1)

unless the minimum rate is paid in each theatre.

Persons appearing as amateurs in theatres shall not be paid for services rendered either directly or indirectly, Campi holds, and if payment is made the minimum of $7.50 shall prevail as prescribed for professional performers.

The interpretation is designed to do away with doubling acts unless performers are paid the minimum wage by each theatre.

Terre Haute Gives Shows

TERRE HAUTE, Ind., Aug. 10.—The Terre Haute City Park Board is sponsoring free silent movies at Collett Park each Sunday night during the summer. The pictures are mostly of an educational nature and are meant for the entertainment of children. However, many adults attend.

Fox May Hold Criterion

Fox is expected to hold on to the Criterion as its Broadway showwindow for some of its coming special attractions. "Cavalcade" closes tomorrow after a three-week run at popular prices.

"Navy" Is N. O. Smash

NEW ORLEANS, Aug. 10.—"Here Comes the Navy" has gone into a second week at the Orpheum after playing to standing room every night for the past week.

Carriers Meet Oct. 1-3

Annual convention of the National Film Carriers' Ass'n., Inc., will be held in Detroit at the Statler Oct. 1-3. About 40 will attend.

Labor Delays Opening

CHICAGO. Aug. 10.—Labor difficulties are understood to be the reason for delay in opening of the Apollo by B. & K. The house, recently acquired, was slated to open Aug. 1.

Para.-Marcus Deal Approval Goes to Court

(Continued from page 1)

that he had met with S. A. Lynch, chairman of the Paramount trustees' theatre advisory committee, in the meantime, and, after advantages of the plan had been explained to him, he had agreed to withdraw his objections.

The approved order provides that Famous Theatre Corp., a Paramount subsidiary, will exercise an option to buy Marcus's stock interest in Publix Salt Lake for $50,000. Famous will assume operation of the circuit which consists of three theatres in Salt Lake City, one in Provo, Utah; two in Twin Falls, Idaho, and a half interest in three theatres in Boise and four in Ogden.

No Decision on Successor

Lynch said yesterday that no decision had been made yet on a successor to Marcus in charge of operations for Famous.

The option to repurchase Marcus's stock interest in the circuit is identical with a provision in all other deals made by Paramount with its theatre operating partners. It is understood, however, that for the time being the options will not be exercised where circuits show a comfortable margin of profit under partnership operation.

Also approved by Joyce yesterday after earlier objections by Sumner had been withdrawn was a procedure by which Paramount Publix is authorized to provide Lares Theatre Corp., a subsidiary, with funds with which to purchase $615,200 of G-B Theatres debentures from Nathan and Samuel Goldstein for $300,000. G-B is a New England circuit, formerly owned by the Goldsteins and operated by Olympia Theatres until recently. Paramount assumed liability for the debentures outstanding at the time G-B was acquired from the Goldsteins in 1930. Purchase of the notes by Lares is in accordance with a provision contained in the agreement under which the Goldsteins resumed operation of the circuit for Paramount several months ago.

Studios Put Clamps On Star Interviews

(Continued from page 1)

resolution adopted at a meeting in the Hays office, the interviewers will have to submit their interview idea for approval before an engagement is made and then they will have to agree to submit the completed article for approval.

In addition, when practicable, a representative of the studio must be present at the interview.

Publicity heads claim the move has been made necessary due to the trend toward sensationalism in interviews and a practice developed by some writers of using their positions to get players to endorse advertised articles.

Chase in a Hospital

Hollywood, Aug. 10. — Charley Chase, Hal Roach comedian and director, is in a local hospital for treatment of a stomach disorder.

Looking 'Em Over

"The Lady Is Willing"

(Columbia)

Again Leslie Howard saves the day in this comedy melodrama. He is assisted by Binnie Barnes, Sir Cedric Hardwicke and Claude McAllister. It's not an important picture, but it has entertaining values which kept a preview audience at the Palace amused.

Howard and three friends find themselves penniless when stock they have purchased from Hardwicke is wiped out due to bankruptcy. The quartet plan to get their life savings back from Hardwicke and delegate Howard to lead the way.

The hero takes on the disguises of bearded doctor, uniformed soldier and ordinary sleuth in his various contacts with the conniving banker and ultimately not only achieves his purpose but also wins Hardwicke's wife.

While Gilbert Miller directed this picture in London, there are no pronounced accents to disturb the continuity. Running time, 65 minutes.

MOTION PICTURE DAILY'S HOLLYWOOD PREVIEW

"Desirable"

(Warners)

Hollywood, Aug. 10.—This is an entertaining example of characterization overcoming a light story by the fine direction of Archie Mayo and the good performances of Jean Muir, George Brent, Verree Teasdale, John Halliday, Charles Starrett, Russell Hopton and others. The delicate treatment by Mary McCall also contributes much to keep the story moving, with pathos and heart balancing equally.

Miss Muir triumphs in the role of a boarding school daughter of a famed actress (Miss Teasdale). She comes home for a holiday, but her mother, who has struggled to achieve her niche on the stage, fights against her remaining, fearing that if it became known she is the girl's mother her career will be jeopardized. During this conflict, Brent, an admirer of the mother, inadvertently falls in love with the daughter, with the mother doing everything to kill the romance. She finally forces the girl on the scion of a wealthy family (Starrett), which strategem only precipitates Miss Muir's engagement in favor of Brent. Although there are no big marquee names to draw, this picture should take care of itself in any spot after the first night. It's entertainment well handled. Running time, 65 minutes.

Report Loew-Reade To Agree Next Week

Newark, Aug. 10.—Local observers point to the Strand, Oxford and Paramount, Plainfield; Majestic and Ditmas, Perth Amboy; Carlton, Red Bank, as the group of Walter Reade houses Loew's is interested in taking over.

None of the houses have RKO as competitors. The deal is reported ready to be definitely set within the next few days.

Rogers Picks "Goddess"

Hollywood, Aug. 10.—The first Charles R. Rogers production on a new contract with Paramount will be "The Goddess," a story by Paul Hervey Fox. The studio has lined up Elissa Landi and Cary Grant for the top spots. No director set.

Para. Holds Writers

Hollywood, Aug. 10.—Louis Long and Ethel Daugherty, former Paramount scriveners, have been re-signed by the studio to team on a series of Zane Grey stories.

10% Admission Levy Introduced in N. O.

(Continued from page 1)

passengers, carrousels, scenic railways, aviation and pleasure rides. An exception would be made in the case of any amusement where the proceeds go to educational, religious or charitable institutions. Coin-operated machines would also be exempt.

Persons failing to make returns would be liable to a fine of from $10 to $25, or to not more than 30 days in jail.

The passage of the ordinance would bring an increase in admissions, it is believed.

Hamrick Raises Scales

Seattle, Aug. 10.—With the resumption of film service from Warners and other major companies to his Blue Mouse here, John Hamrick has been required to advance admission rates at this house. The former scale of 15-cent matinees and 25-cent evening rates after 6 o'clock has been changed to 15 cents until 1 P. M., and 25 cents thereafter. Mezzanine floor seats are 35 cents after 1 o'clock.

Shorts Down; But Features Gain by 155

(Continued from page 1)

1934. The independents, who made 274 features last season, intend to turn out 457 this year, it is shown.

The total decrease in shorts breaks up as follows: one-reelers, 234; two and three-reelers, 150.

The majors, the compilation shows, plan to release during 1934-1935 502 one-reelers and 289 two-reelers, as against 624 and 377 during the past selling season, while independents have slated for production 90 one-reelers and 197 two-reelers. These figures compare with 202 and 257 last year.

Total number of productions, features and shorts, planned by the majors is listed as 1,169, which compares with 1,407 announced at the beginning of the 1933-1934 season.

According to the compilation, Columbia will produce one feature less than last year; Fox, 14; Paramount, one; Radio, two, and United Artists, 13, with M-G-M being the only major to show an increase, amounting to three features.

In the shorts field, Columbia is listed as contemplating a decrease of 39 this season; Fox, 58; M-G-M, 22; Paramount, 25; Radio, 11; United Artists, eight; Universal, 52.

No Rocky Mountain Move Until November

(Continued from page 1)

Coast units, Rick Ricketson, operating head, states.

Completion of the Fox West Coast reorganization is being held up because of a petition filed by Samuel Zirn attacking the validity of acts of Paramount trustees. This affects the F.W.C. deal for the Paramount, Los Angeles. In his petition, Zirn claims that two of the Paramount trustees are disqualified because of their affiliation.

Fox Rocky Mountain hasn't added or dropped a theatre in the last year, Ricketson said. He is in New York primarily on product deals.

Happy Days for Miss.

Jackson, Miss., Aug. 10.—A bumper cotton harvest in Mississippi is bringing joy to the exhibitors of the state, as grosses are expected to shoot upward. The industry will also profit from an extra $10,000,000 to be dropped into the pockets of planters by the Federal government by virtue of the processing tax.

Raft Asks Name Change

Hollywood, Aug. 10.—George Raft wants this to be his legal name. He has petitioned the Superior Court to drop the "n" from his present legal name, which is George Ranft.

New Thomasville House

Thomasville, N. C., Aug. 10.—A new theatre, to be known as the Family, has been started on Salem St. It will seat 400. Equipment will include an air conditioner. It will be ready about Oct. 1.

The Leading Daily Newspaper of the Motion Picture Industry

MOTION PICTURE DAILY

Alert, Intelligent and Faithful Service to the Industry in All Branches

VOL. 36. NO. 36 NEW YORK, MONDAY, AUGUST 13, 1934 TEN CENTS

U. A. to Seek Court Test on Cancellations

Plans for Federal Suit Over Campi Ruling

Disagreeing with the decision rendered by Campi holding that its product was subject to cancellation, United Artists plans to file suit against Code Authority for an interpretation of the cancellation clause in the code, Edward Raftery, member of the law firm of O'Brien, Driscoll & Raftery, U. A. attorneys, told MOTION PICTURE DAILY. Suit will be filed in the U. S. District Court.

The distributor contends that its

(Continued on page 6)

British CEA Again Hits Overbuilding

By BRUCE ALLAN

LONDON, Aug. 12 (*By Mail*).—An important further step in the overbuilding controversy is reached by the announcement that the Cinematograph Exhibitors' Ass'n is circulating to licensing authorities throughout the

(Continued on page 6)

Breen to Tell Aims In Newsreel Shots

HOLLYWOOD, Aug. 12.—To clarify the clean film campaign Joseph I. Breen and his family will appear in newsreel clips with some American celebrity interviewing him for the American market and some Englishman conducting the interview for the British market.

It is expected that Irvin Cobb will be the American and that Hugh Walpole will be the Englishman.

N. O. Stirred Again

New Orleans, Aug. 12.—Another film agitation is developing. With the town just calming down after the stir over the title "Belle of New Orleans" for Mae West's latest, letters to the editor are popping over the use of the Beauregard name in "Handy Andy."

This is an historic New Orleans name, and the "Beauregards" overstay their welcome in the "Yates" family in the picture.

Relief Work Shows Worry To Theatres

Kuykendall to Oppose Free Performances

Plans of the Federal Emergency Relief Administration to develop a national little theatre movement to provide relief for unemployed actors, as proposed in Washington last week, are viewed with alarm by exhibitor leaders here who see in the move a possible flood of free shows in all sections of the country by next winter.

If the plans, not yet fully disclosed, although said to be completed and awaiting presentation to President Roosevelt, do contemplate free performances on a large scale, the project will be attacked nationally by the M. P. T. O. A. as injurious to estab-

(Continued on page 3)

Gaumont to Book 16 Features Into Roxy

The Gaumont British product deal with the Roxy calls for 16 pictures, first of which will be dated following "Romance in the Rain," which is booked for an indefinite run. The initial G-B film has not yet been set.

It is understood that the RKO circuit will follow the Roxy on the entire 16 films. No contracts have yet been signed, but deals are near the signing point.

Negotiations for the theatre will be resumed when Mark Ostrer arrives from England. He sails from London on the *Aquitania* Aug. 18.

Fox Product Going In Loew De Luxers

Marking the first time Fox product will play in Loew de luxe theatres, "The World Moves On" opens day-and-date at the State and Paradise on Aug. 24. The picture will also play in four other de luxe units.

The Fox deal includes fifty-nine other Loew houses in Greater New York.

Associated Theatres Now MPTOA Unit

Associated Theatres, Inc., of Los Angeles has formally affiliated with the M.P.T.O.A., Ed Kuykendall said Saturday. Kuykendall said the national organization "welcomed" the

(Continued on page 6)

THIRTY CONCERNS FIGHT CODE COSTS

U. A., Universal Want Charges Based Upon Gross Receipts

Thirty major and independent producers and distributors have filed protests with Division Administrator Sol A. Rosenblatt on the $90,000 assessment for the first six months apportioned against them. Since all protests must be filed by Aug. 15, it is expected others will also send in complaints.

From official sources it has been learned that the protests probably will be turned down and that the Research and Planning Division of the NRA will most likely ask Campi to draw up another plan.

Complaining companies are: United Artists, Universal, Amity Exchange, Charlotte, Remington Pictures, Hollywood Pictures Corp., Paul Goldman,

(Continued on page 6)

Governor a Fan

Richmond, Aug. 12.—Governor George Campbell Peery is an ardent movie fan. If he can't find pictures he likes among the first runs, he tours the neighborhood houses. Comedies, especially of the Will Rogers type, are his favorites, but he doesn't miss any of the musical shows, if he can help it.

Allied to Let Units Act on Duals Stand

Although the New Jersey unit plans to drop twin bills on Sept. 3, Allied's national policy has not changed, Sidney Samuelson, president, states. The Allied head insists that individual units are left to decide for themselves what step to take on the issue of doubles.

Allied has advocated this platform on the subject for some time and local autonomy still prevails and will, according to Samuelson. The national organization will not dictate to units, he says.

In Kansas City, St. Louis and Cleveland, exhibitors, regardless of

(Continued on page 6)

Expect Film Carriers To Reelect Clarke

James P. Clarke of Horlacker's Delivery Service in Philadelphia is expected to be reelected president of National Film Carriers, Inc., at its convention at the Statler, Detroit, Oct. 1-3, Clarke, who also is treasurer, will most likely continue in that post. Other

(Continued on page 6)

Tri-Consolidated to Add 5 More Houses

Having added the Fianchi circuit of 10 local houses to the 59 already in the Tri-Consolidated combine, an additional five theatres will come under this management within the next few months. Three new theatres are on

(Continued on page 6)

Chadwick Praises New L. A. Schedule

Praising the work of the Los Angeles board in drafting the local clearance and zoning schedule, I. E. Chadwick, independent producer, states that independent producers and distributors are cooperating with coast exhibitors on the plan.

He said Harry Hicks, chairman,

(Continued on page 6)

Penn MPTO Moves to Fight Score Charge

PHILADELPHIA, Aug. 12.—Opposition to score charges levied by producers has taken a new turn in the M.P.T.O. of Eastern Pennsylvania, Southern New Jersey and Delaware. Members are now seeking to enlist all exhibitor organizations in a fight against the charges.

In resolutions just passed the unit also asks that the M.P.T.O.A. lead the fight.

Oscar on the Air

Hollywood, Aug. 12.—Oscar Smith, Paramount's muchly publicized bootblack and actor, is climbing into big time, having been signed to do his stuff over NBC on a coast to coast coffee program.

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Ellington Denied Permit

LONDON, Aug. 12.—Duke Ellington's band has been refused a permit to play in film houses in England by the Ministry of Labor. The official stand is that British bands should be employed in any extension of stage shows. Ellington had been scheduled to play the Paramount Astorias circuit.

George W. Hill Cremated

HOLLYWOOD, Aug. 12.—In accordance with George W. Hill's request in his latest will, his body was taken to Rosedale Cemetery less than 24 hours after his death and cremated without any ceremony. Only members of his family were present with his attorney.

Starts N. O. Tax Fight

NEW ORLEANS, Aug. 12.—Harry S. McLeod, president of the G.S.T.A., has called a meeting of all state exhibitors, fearing that if Mayor T. Semmes Walmsley's 10 per cent theatre tax plan is enacted it will spread to other parishes.

Newark Opera Is Sold

NEWARK, DEL., Aug. 12.—The Opera House, taken over by William M. Veasey, mortgagor, has been sold for $14,500 to J. Pearce Cann, Wilmington attorney, at a sheriff's sale.

E. E. Lyons Passes

LONDON, Aug. 12.—E. E. Lyons, founder of the Biocolor Circuit, died Friday.

MOTION PICTURE DAILY'S HOLLYWOOD PREVIEW

"Big Hearted Herbert"

(Warners)

HOLLYWOOD, Aug. 12.—This laugh-packed, domestic comedy promises to be a grand entertainment treat for all types of audiences. Telling a story familiar to every American family, the yarn is true to life and a riot of clean, wholesome fun. It is a fast moving yarn with laughs in every line of dialogue; every bit of action and every situation is a brilliant satire on the clash of old fashioned versus modern ideas.

A hard headed, self-made father (Guy Kibbee), by going into a furious tantrum of objections, wrecks mother's (Aline MacMahon's) dinner party honoring daughter's (Patricia Ellis') prospective husband (Phillip Reed). Later, when he wants to show off for a big customer, the family turns the tables on the old man by going completely old fashioned, yanking out all the archaic furnishings and clothes and putting on a dinner that is a grand burlesque on Kibbee's ideas. The result is that Kibbee comes around to see things from a 1934 viewpoint.

Kibbee is great as the thick skulled father and in Miss MacMahon he has a perfect partner. The romantic interest is carried by Miss Ellis and Reed. Helen Lowell, as the maid, stands out. The supporting roles are capably filled by Junior Durkin, Jay Trent, Robert Barrat, Henry O'Neil, Nella Walker, Hale Hamilton and Claudia Coleman.

The screen play by Ben Markson and Lillie Hayward, based on Sophie Kerr's play, is lively and colorful. William Keighley's direction never misses.

Picture has quality to clean up in big and small theatres. Running time, 60 minutes.

"Have a Heart"

(M-G-M)

HOLLYWOOD, Aug. 12.—Jean Parker's first starring film, with Jimmy Dunn, Una Merkel and Stuart Irwin, is for folks who like to laugh and cry and who like good, clean hokum. Judging from the preview reception, there are plenty who like it.

The yarn, spun simply, has Miss Parker, crippled after an accident, enamored of Dunn, an ice cream vendor. She is fearful about her pedal imperfection, but Dunn, discovering the imperfection, falls more deeply in love, with Miss Parker responding. In an unselfish effort to save Dunn from the onus of stealing money, Miss Parker angers him and he leaves. While separated, Miss Merkel and Irwin conspire to bring the lovers together via a hilarious race horse episode. Operated on successfully, Miss Parker is able to walk to Dunn.

Miss Parker has beauty and a protective quality. Dunn, human and humorous, captures the spirit of the inarticulate male to perfection. Miss Merkel and Irwin provide big laughs. David Butler's direction stresses the sympathetic and laugh values. The story, by Buddy DeSylva and David Butler, with adaptation by Florence Ryerson and Edgar Allen Wolf, is down to earth. Kate Price is choice in a minor role.

The production will appeal to, and satisfy unsophisticated, all wool neighborly folks. Running time, 75 minutes.

Takes Ashtabula House

ASHTABULA, O., Aug. 12.—Jack Steinberg, owner of the Dome, has taken over the Habor, dark all summer, with plans to reopen immediately.

Asks Court Picket Ban

ALLIANCE, O., Aug. 12.—W. B. Urling, operator of the Rex, has appealed to the courts for an injunction to stop picketing by I.A.T.S.E. men.

Columbia Down ¾ on Big Board

	High	Low	Close	Net Change	Sales
Columbia Pictures, vtc	26	26	26	— ¾	100
Consolidated Film Industries	2¾	2⅝	2¾	+ ⅛	200
Eastman Kodak	98	97	97½	— ½	400
Fox Film "A"	9¾	9¾	9¾	— ½	100
Loew's, Inc.	26¼	25⅛	26	— ⅛	1,600
Paramount Publix, cts	3⅛	3	3⅛	+ ⅛	100
Pathe Exchange	1¼	1⅛	1⅛	.....	500
RKO	2	2	2	.....	400
Warner Bros.	4	3⅞	4	.....	100

Loew's Bonds Off 1½ Points

	High	Low	Close	Net Change	Sales
General Theatre Equipment 6s '40	5¾	5¾	5¾	.....	2
Loew's 6s '41, ww deb rights	99⅜	99¼	99¼	—1½	13
Paramount F. L. 6s '47	39½	39½	39½	— ⅞	2
Pathe 7s '37 ww	94	94	94	+ ½	1
Warner Bros. 6s '39, wd	53⅛	53⅛	53⅛	— ⅞	1

Purely Personal

MILTON DOUGLAS, who has sung in a number of George White and Hammerstein productions, has been signed by WILLIAM SAAL and BUBT KELLY for a night club role in "Gigolette."

MOE STREIMER, U. A. New York branch manager, leaves for a sales trip upstate either today or tomorrow.

MRS CLARE BOOTHE BROKAW, a member of Campi, is now in Europe.

Denies Empire State And Allied to Merge

Intent on retaining its independence, the Empire State M. P. Operators' Union, Inc., has turned down an offer to merge with the Allied Operators' Union, it was learned Saturday from Arthur Farkash, president of the former group.

Empire has adopted a resolution that it "shall not merge or affiliate itself with a company union such as Allied," according to Farkash, who added that his union is "ready to negotiate terms of contracts with exhibitors."

Empire is now conducting a picketing drive against the Globe on Broadway, the Art and Star in the Bronx and the State, Kismet, Sumner, Ritz, Park, Berkshire, Endicott and Coliseum in Brooklyn.

Pittsburgh's Alvin To Open on Aug. 31

PITTSBURGH, Aug. 12.—The Harris Amusement Co. has set Aug. 31 for the opening of the reconstructed Alvin. The house, built originally as a legitimate theatre in 1891, has been entirely remodeled at a cost of more than $100,000 and now has an enlarged seating capacity of 2,000. The opening attraction will be Fox's "Baby Take a Bow" and there may also be a stage show, although this hasn't been definitely determined.

George Tyson, just appointed managing director of the Alvin, has named Bill Zeilor house manager. Zeilor was formerly assistant manager of the Stanley and manager of the Enright here.

Crosby Radio Goes Bad

Word that the Bedaux Sub-Arctic Expedition, engaged in making a scientific picture, is having trouble with its radio equipment but that "we are all well and happy" is contained in a cable received by William Fitelson of the law firm of Fitelson and Mayer, who is the legal representative of Floyd Crosby, director and supervisor of the expedition's film activities.

Technicians to Nominate

HOLLYWOOD, Aug. 12.—Nominations for new officers for the Technicians' Branch of the Academy will be made Thursday. The nominating committee includes John Cass, Carroll Clark, Charles D. Forrest, John Hughes, Fred Gage, Charles Lang and Maurice Pivar. Alternates are Vernon Walker, William B. Moll and Loren Ryder.

Relief Work Shows Worry To Theatres

(Continued from page 1)

lished business, Ed Kuykendall, M. P. T. O. A. president, said Saturday.

Kuykendall declared that all exhibitors were in sympathy with unemployment relief measures, but that free performances by traveling troupes subsidized by Federal relief agencies could cause sufficient injury to theatre business to jeopardize the work of numerous theatre employes and to contribute to unemployment in this industry. He stated that no objections would be raised if admissions to the subsidized performances were charged, or if they were presented in areas which did not afford direct competition with established theatre enterprises paying local, state and Federal taxes and offering employment to large numbers.

Free shows sponsored by the Public Works Administration here for the object of providing employment for needy professionals have already become a problem of the New York exhibitor, where as many as eight performances nightly are scheduled, exclusive of matinee performances for children. The I. T. O. A. has already taken steps to protest the PWA program here as it is conducted now.

The national plans of the FERA, it is indicated by Washington advices, will follow closely on the lines of the PWA program here. In addition to the shows, the plans call for formation of symphony orchestras comprised of unemployed musicians, ostensibly to give public recitals without charge.

Mexican Exhibitors Fight New 10% Tax

MEXICO CITY, Aug. 12.—Opposition to a proposed 10 per cent Federal tax on film rentals has developed in the Union of Cinematographic Exhibitors. The government is being urged to drop the proposition on the ground that American companies would close their branches here.

The effect of this, they say, would be to throw thousands out of work and cause a product shortage. In defense of distributors it was asserted that they send only seven per cent of their receipts out of the country.

New officers were elected as follows: President, I. Martinez; secretary, Adolfo Rodriguez; treasurer, Guillermo Vega; local representative general, Jose U. Calderon.

Rosecan Joins Judell

ST. LOUIS, Aug. 12.—Eddie Rosecan, for the past four years with United Artists and local sales manager for the past 18 months, has assumed his new duties as manager of the B. N. Judell Co. office here.

Harry Scott was recently made manager here for United Artists, with Rosecan becoming city salesman. Rosecan resigned the latter position to join Judell. George McBride, who had been in charge of the Judell office, will continue with the sales organization here.

Hollywood Personals

Hollywood, Aug. 12.—Mr. and Mrs. Charles Laughton, Josef von Sternberg and Marlene Dietrich can be seen lunching together daily at the Paramount studio commissary. . . . Buddy De Sylva back in town and will report to Fox Sept. 1 to begin a new deal of producing four pictures on the new program. . . . Frank Capra's means of making a living here before becoming associated with pictures was to tutor the son of Anita Baldwin, wealthy Californian. . . . Fred Keating likes to talk about the days he was a reporter on the *New York American*. . . . Columbia is having headaches trying to find 50 women between the ages of 18 and 25 with long hair. . . . Fay Wray has started her own system of air cooling by installing two refrigerator machines in her dressing room at Columbia. . . . Ray Hoadley, self styled statistician for Harry Cohen, issues a statement that less than 10 per cent of all film shot for motion picture entertainment reaches the screen. . . . Grace Moore has decided to make a concert tour before beginning her next picture for Columbia. . . . Austin Parker advances an opinion that the drive for clean pictures will mean new and interesting ideas for screen stories. . . . Alice White will conclude her contract with Universal shortly and become a free lance artist for both radio and picture work. . . .

Allied Angling for 2 More State Units

Expansion plans of Allied call for new units in two more states within the near future. The organization now covers 28 states.

In branching out, Allied is feeling its way. While no one will talk on the geographical location of the planned units, it is understood they will be in the west.

Akron House Reopens

AKRON, Aug. 12.—The Colonial, one of the three major downtown houses, has reopened with first run films and Frank King as manager. The house recently quit films for summer dramatic stock, but the new policy ended after five weeks.

Transparent Metal As Film Is Studied

HOLLYWOOD, Aug. 12.—Use of a new transparent metal as film stock is being studied at Paramount by Arthur Zaugg, Swiss film technician and assistant superintendent of the studio machine shop.

German physicists have produced the metal, he says, and are now experimenting on it with an idea for commercial use. Zaugg says its permanency and the fact that it would not shrink like celluloid make it important for the industry.

Paramore on Coe Story

HOLLYWOOD, Aug. 12.—Edward A. Paramore has been signed by Fox to do an adaptation of the Charles Francis Coe story, "Pennies." Cast and directors have not been set.

"Bondage" Is Pittsburgh's Top, $13,000

PITTSBURGH, Aug. 12.—Business was up all over town last week, with each of the three first runs topping average by a nice margin. This was the first time here all summer that all of the downtown sites have bettered par.

The best showing was made by "Of Human Bondage" at the Stanley, where it did close to $13,000. The picture had been held up by the censors for some time and during that period received probably the greatest amount of gratis space in the newspapers any picture has had in a long time. At the Penn, "The Girl from Missouri" got off to a great start, but slowed down when the word got around that the censors had butchered it pretty badly. It wound up with $12,250.

"His Greatest Gamble" and "Smarty" shot the Warner up to $6,000, its best showing in some time, and standees were noticed there occasionally.

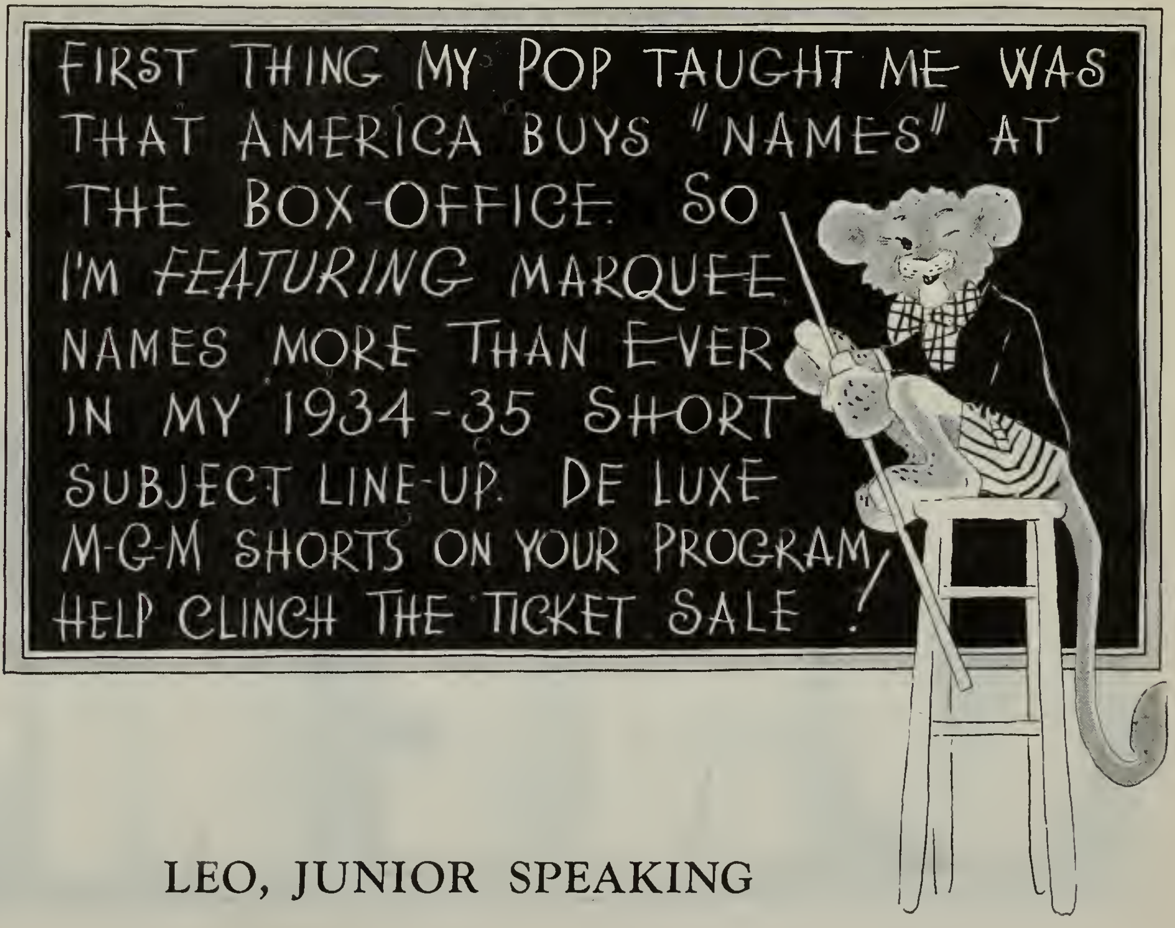
Total first run grosses were $31,250. Average is $26,000.

Estimated takings for the week ending Aug. 9:

"THE GIRL FROM MISSOURI" (M-G-M)
PENN—(3,300), 25c-50c, 6 days. **Gross:** $12,250. (Average, $12,000)

"OF HUMAN BONDAGE" (Radio)
STANLEY—(3,600), 25c-50c, 6 days. **Gross:** $13,000. (Average, $9,000)

"HIS GREATEST GAMBLE" (Radio)
"SMARTY" (Warners)
WARNER—(2,000), 25c-40c, 6 days. **Gross:** $6,000. (Average, $5,000)


FIRST THING MY POP TAUGHT ME WAS THAT AMERICA BUYS "NAMES" AT THE BOX-OFFICE. SO I'M FEATURING MARQUEE NAMES MORE THAN EVER IN MY 1934-35 SHORT SUBJECT LINE-UP. DE LUXE M-G-M SHORTS ON YOUR PROGRAM HELP CLINCH THE TICKET SALE!

LEO, JUNIOR SPEAKING

SENSA

"A Grand Picture"

—*N. Y. Times*

"A Superior Photoplay"
—*N. Y. Herald Tribune*

●

"Heartily Recommended"
—*N. Y. World Telegram*

●

"Highly Creditable"
—*N. Y. Daily News*

●

"A Splendid Film"
—*N. Y. Daily Mirro*

●

"Compels Attention"
—*N. Y. Eve. Pos*

●

"Faithful Portrayal"
—*N. Y. Eve. Journal*

●

ONE MOR

TIONAL

—ask the RADIO CITY

MUSIC HALL

--Don't Ask Us--

about James Whale's Mighty Picturization of Galsworthy's Best Seller!

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UNIVERSAL

ERIVER

Code Costs Opposed by 30 Concerns

(Continued from page 1)

F. & M. Stageshows, Inc., Educational Films Corp. of America, First Division, Hollywood Film Exchanges, Inc., Interstate Films Co., Pathe News, and Van Beuren of New York; Capitol Film Exchange, Philadelphia; Monogram Pictures, Inc., Detroit; Chenoweth Film Co., Omaha; Franklin Productions, Inc., Boston; Edited Pictures System, N. Y.; Greiver Productions, Chicago; Ideal Pictures Corp., Minneapolis; Peerless Distributing Co., Philadelphia; Educational Film Exchange, Louisville; Premier Pictures Corp., St. Louis; Strickland Industrial Film Corp., Atlanta; Progressive Pictures, Inc., St. Louis; Douglas Fairbanks Pictures Corp., Hollywood; J. Bruce Johnson, Hollywood; Monogram Pictures, Denver; Cameo Screen Attractions, Boston, and Charles R. Rogers, Hollywood.

In its letter to Rosenblatt, United Artists points out that its company, along with Paramount, M-G-M, RKO, Warner-First National and Fox, is assessed $20,000, while Universal and Columbia are levied $15,000.

After detailing the number of pictures the various companies distribute, the letter states that United Artists is solely a distributor of a limited number of features annually and that these pictures in no wise compare with the number distributed by other national companies.

Say Receipts Are Lower

"The gross receipts of the undersigned," the letter states, "are far less than the gross receipts of practically all of the national distributors.

"The method of allocation is unfair in that the gross receipts and the number of pictures distributed by each distributor should be the factor used in determining contributions to the code."

The letter adds that Warner-First National releases about 60 features and a minimum of 150 shorts annually and that this company's receipts are at least twice, and in all probability three times as large as gross receipts of U. A.

It is claimed that U. A. in the past has released as few as four films a year with maximum at 20, supplemented during the last few years by Walt Disney shorts. The company asks that a certified accountant should examine the records of the various companies to determine gross receipts, number of features and shorts, and from this calculation it will be possible to arrive at a fair method of allocating the expenses of the respective companies.

In closing the letter, U. A. suggests a public hearing to substantiate its protest, declaring the method suggested by Campi is grossly unfair. William P. Phillips, treasurer, signed the letter.

The Universal protest, signed by R. H. Cochrane, contains the same allegations submitted by United Artists. It suggests that the assessment be based on the gross receipts of the individual distributor and that a public hearing be held with respect to the method of allocating the expense of Campi and the method of contribution. The letter states that over a period of years the method of taxing in proportion to gross receipts has been effective and satisfactory.

Jackie and Shirley

New Haven, Aug. 12.—Frank Henson, manager of Loew's Bijou here, is credited with originating a stunt for the forthcoming opening of "Treasure Island" in Los Angeles which has been adopted by M-G-M's coast publicity department. His suggestion was that Jackie Cooper escort Shirley Temple to the opening, which is expected to result in considerable newspaper space.

Chadwick Praises New L. A. Schedule

(Continued from page 1)

has done splendid work in drafting the schedule and that unaffiliated producers and distributors have no idea of making a general assault on its provisions. Now that the duals questions has been eliminated, Chadwick feels that the preview clause in the coast schedule should be modified.

The plan provides that previews can be held only at theatres charging 50 cent admissions, which he feels discriminates against independent product. If an independent producer wants to preview his product at houses charging under 50 cents, he should be entitled to do so, Chadwick contends.

"We don't want to be the bulls in a China shop and kick over everything the men have done," Chadwick states. "They gave us a fine plan, but there are certain things we are in disagreement on."

The producer holds that independents' product has improved considerably over past years and is of a much higher grade than heretofore.

Chadwick leaves for the coast tomorrow by plane. He will return when the Los Angeles schedule comes before Campi.

New Clearance Set Up in Ogden, Utah

Ogden, Utah, Aug. 12.—New clearances based on admissions have been set up for this city by the Salt Lake City clearance and zoning board.

When the difference between first and second runs is 20 cents clearance is 180 days; 15 cents, 120 days; 10 cents, 75 days; five cents, 60 days. When first and second run prices are the same the clearance is 30 days. Non-theatrical accounts are held to 365 days after first run.

Associated Theatres Now MPTOA Unit

(Continued from page 1)

unit, which includes exhibitors scattered throughout southern California.

Officers of the coast unit are: President, Ben Berinstein; vice-president, Harry Hicks; secretary, Russell Rogers; treasurer, Arnold Schank; directors, B. Berinstein, Louis Halper, H. Hicks, George Bromley, A. Schank, Georges Haines, Robert Gumbiner, Milt Arthur and R. Rogers.

U. A. to Seek Court Test on Cancellations

(Continued from page 1)

pictures are sold on individual contracts and hence are not subject to cancellation, holding that one cannot cancel 10 per cent of one picture.

However, Campi's committee held that the words "license agreement" in the code were not meant to indicate a contract for one picture but for groups of pictures.

U. A., it is stated, has correspondence from Division Administrator Sol A. Rosenblatt, which, it is held, assures the distributor that its pictures would not come under the cancellation provision. U. A. contends that its contracts with individual producers like Samuel Goldwyn, Darryl Zanuck, Reliance, Charles Chaplin, Douglas Fairbanks and others do not permit cancellations of pictures unless the producer consents. Only Zanuck is listed for 10 pictures on the U. A. list, the other producers being slated for four, or less.

Expect Film Carriers To Reelect Clarke

(Continued from page 1)

officers slated to continue are Clint Weyer, secretary, and Harold Robinson of Detroit, vice-president. About 40 members will be present.

Among topics to be discussed will be standardization of equipment and shipments and developments during the past year. Plans for the new year will be outlined. The organization has about 600 trucks in operation nationally.

An executive committee of five and a board of managers of seven will be continued in office, according to present indications.

Tri-Consolidated to Add 5 More Houses

(Continued from page 1)

the verge of coming under the banner with contracts ready for signing. This is expected sometime this week and will bring the total to 74.

The present construction program will be limited to two houses. The Pilgrim in the Bronx will be ready for opening Sept. 20 and the Tribune, to be constructed in the old Tribune Building on Nassau St., will be ready by next January. This house will seat 600. Two additional new structures were planned, but have been called off for the present.

Famous Theatres to Take 8 Ohio Houses

Marion, O., Aug. 12.—Famous Theatres Corp. has launched a theatre acquisition drive in Ohio and is taking over eight houses to be operated by subsidiaries.

Midhio Theatres Corp. recently formed to run Young's Palace and Marion here, has deals under way to take the Liberty, Quimby, Imperial and Grand, Zanesville; Paramount, Hamilton, and Paramount, Middletown. Tracy Barham, formerly Albany district booker for Warners, has taken personal charge of the Marion houses.

Allied to Let Units Act on Duals Stand

(Continued from page 1)

affiliations, have signed agreements to abandon duals. The recent attempt of Milwaukee exhibitors to penalize duals in the local clearance and zoning schedule was short lived after Campi held an open session for protests.

Harry Kridel has been named chairman of the New Jersey Allied committee working on elimination of duals. Julius Charnow, Nathan Myers, Jack Pinelis and Benjamin Berkowitz are other members. Signatures of Skouras, RKO, Loew and Paramount are being awaited and when these come through it is expected the entire territory will go for the plan. There are several independents who haven't signed. They are waiting to see what the circuits do.

British CEA Again Hits Overbuilding

(Continued from page 1)

United Kingdom a legal opinion from Tyldesley Jones, K.C., asserting that these bodies have the power to refuse licenses for new theatres if they think present seating adequate to public needs.

It has been widely assumed that the powers of local bodies were limited to the stipulation of safety conditions. No definite court decision has yet been handed down on the point.

With the legal opinions, the C. E. A. is circulating copies of the paper on overbuilding read by Sam Eckman, Jr., at the Blackpool convention, the arguments of which have since been vigorously challenged by John Maxwell, president of the Kinematograph Renters' Society and principal of the important A. B. C. circuit.

* * *

Dr. A. H. Giannini arrived in London on vacation. Also on the *Ile de France* was Lucien Hubbard, M-G-M producer.

* * *

Winfield Sheehan due from Paris. Vacation stated, but Fox British production plans are taking shape on an ambitious basis.

M-G-M Feature List Is Taken by F. W. C.

M-G-M's entire lineup of features has been sold to Fox West Coast's group of approximately 400 theatres. The deals for shorts have not been completed. Jack Sullivan and E. L. Alperson are working on these with M-G-M executives.

Fox product already has been lined up with the same circuit and its five operating units. Negotiations are under way on RKO, Warners and Columbia deals which are not expected to be completed for another couple of weeks.

Booked for Roxy

Howard S. Cullman has booked three films to follow "Handy Andy" at the Roxy. In the order in which they will be shown, they are: "Charlie Chan's Courage," "We're Rich Again" and "Romance in the Rain."

Brilliant
PERFORMANCE

EVERY fine performance on the screen depends upon certain earlier performances . . . not by the cast alone, but by the film in the camera. Because of the dependability and artistic opportunity it affords . . . because of its unfailingly brilliant performance . . . most cameramen and producers prefer Eastman Super-Sensitive Panchromatic Negative with gray backing. Eastman Kodak Company, Rochester, New York. (J. E. Brulatour, Inc., Distributors, New York, Chicago, Hollywood.)

EASTMAN *Super-Sensitive*
Panchromatic Negative

"Andy" Pulls High $6,500, Minneapolis

MINNEAPOLIS, Aug. 12.—"Handy Andy" ran away with the big money here last week, topping par by $1,000 with a take of $6,500 at the State.

There were other good grosses in spite of the heat. "The Man With Two Faces" grabbed $6,000 at the RKO Orpheum. In St. Paul "Midnight Alibi" was up by $1,000 on a $5,000 take at the RKO Orpheum, and both "The Girl From Missouri" and "Grand Canary" held up well.

Minneapolis' five houses grossed $20,500 where they generally get $18,500, while St. Paul's four, usually getting $14,000, took $15,500.

Estimated takings:

Minneapolis:

Week Ending Aug. 9:

"GRAND CANARY" (Fox)
CENTURY—(1,000), 25c-40c, 7 days. **Gross:** $4,000. (Average, $4,000)

"HE WAS HER MAN" (Warners)
LYRIC—(1,000), 20c-25c, 7 days. **Gross:** $1,500. (Average, $1,500)

Week Ending Aug. 10:

"THE MAN WITH TWO FACES" (F.N.)
RKO ORPHEUM—(2,000), 25c-50c, 7 days. **Gross:** $6,000. (Average, $5,500)

"HANDY ANDY" (Fox)
STATE—(2,300), 25c-40c, 7 days. **Gross:** $6,500. (Average, $5,500)

"THE CONSTANT NYMPH"
WORLD—(400), 25c-75c, 7 days, 2nd week. **Gross:** $2,500. (Average, $2,000)

St. Paul:

Week Ending Aug. 9:

"THE GIRL FROM MISSOURI" (M-G-M)
PARAMOUNT—(2,300), 25c-40c, 7 days. **Gross:** $5,500. (Average, $5,500)

"GRAND CANARY" (Fox)
RIVIERA—(1,200), 25c-40c, 7 days. **Gross:** $3,500. (Average $3,500)

"MIDNIGHT ALIBI" (F. N.)
RKO ORPHEUM—(2,000), 20c-40c, 7 days. **Gross:** $5,000. (Average, $4,000)

"BORN TO BE BAD" (U. A.)
TOWER—(1,000), 15c-25c, 7 days. **Gross:** $1,500. (Average, $1,500)

"Navy" Leads Big Pickup in Denver

DENVER, Aug. 12.—Business picked up with a bang here last week in spite of the play festival at Central City. "Here Comes the Navy" led the parade with a $9,500 take at the Orpheum. This topped par by $3,500.

"She Loves Me Not," at $7,000, and "Bulldog Drummond Strikes Back," at $7,500, were pretty close to smash hits. The former was $3,000 over average at the Denham and the latter was $3,500 up at the Denver.

Total first run business was $27,700. Average is $20,500.

Estimated takings for the week ending Aug. 9:

"I GIVE MY LOVE" (F. N.)
ALADDIN—(1,500), 25c-35c-50c, 7 days. **Gross:** $1,200. (Average, $2,500.)

"SHE LOVES ME NOT" (Para.)
DENHAM—(1,500), 25c-35c-50c, 7 days. **Gross:** $7,000. (Average, $4,000.)

"BULLDOG DRUMMOND STRIKES BACK" (U. A.)
DENVER—(2,500), 25c-35c-50c, 7 days. **Gross:** $7,500. (Average, $6,000.)

"HERE COMES THE NAVY" (W. B.)
ORPHEUM—(2,600), 25c-35c-50c, 7 days. **Gross:** $9,500. (Average, $6,000.)

"LET'S TALK IT OVER" (Univ.)
"HELL CAT" (Col.)
PARAMOUNT—(2,000), 25c-40c, 4 days. **Gross:** $1,600.

"MURDER IN THE PRIVATE CAR" (M-G-M)
PARAMOUNT—(2,000), 25c-40c, 3 days. **Gross:** $900. (Average for the week, $2,000.)

"Bondage," Show, $16,200, Buffalo

BUFFALO, Aug. 12.—"Of Human Bondage," in itself a strong draw, was helped at the Buffalo by the big crowds that wanted to see the results of the screen tests conducted by the M-G-M traveling train. The take of $16,200 was over normal by $1,900.

"Let's Talk It Over" and "Black Moon" gave the Lafayette a good $7,000.

Total first run take was $33,600. Average is $35,500.

Estimated takings for the week ending Aug. 10:

"OF HUMAN BONDAGE" (Radio)
BUFFALO—(3,500), 30c-55c, 7 days. Stage: Shirley Howard, Betty Jane Cooper and Lathrop Bros., Belett & Lamb. The Bredwins, Vivian Fay. **Gross:** $16,200. (Average, $14,300.)

"DOUBLE DOOR" (Para.)
"MERRY WIVES OF RENO" (Warner)
CENTURY—(3,000), 25c, 7 days. **Gross:** $5,700. (Average, $6,000.)

"ENLIGHTEN THY DAUGHTER" (Standard)
HOLLYWOOD—(300), 25c-35c, 7 days, 2nd week. **Gross:** $200. (Average, $700.)

"GRAND CANARY" (Fox)
HIPPODROME—(2,100), 25c-40c, 7 days. **Gross:** $5,500. (Average, $8,000.)

"LET'S TALK IT OVER" (Univ.)
"BLACK MOON" (Col.)
LAFAYETTE—(3,300), 25c, 7 days. **Gross:** $7,000. (Average, $6,500.)

Rogers Leads Seattle with $7,500 Take

SEATTLE, Aug. 12.—Will Rogers' fans turned out in droves to see "Handy Andy" at the Fifth Avenue and ran the take up to $7,500.

This was the only house in town to pass average. "Here Comes the Navy" took second honors with a par $6,500 draw at the Music Hall.

Total first run business was $29,600. Average is $31,000.

Estimated takings for the week ending Aug. 11:

"HIS GREATEST GAMBLE" (Radio)
"THE MERRY FRINKS" (Warners)
BLUE MOUSE—(950), 15c-25c-35c, 7 days. **Gross:** $3,000. (Average, $3,500)

"HANDY ANDY" (Fox)
FIFTH AVENUE—(2,450), 25c-40c-55c, 7 days. **Gross:** $7,500. (Average, $7,000)

"TRAIL DRIVER" (Univ.)
"ONE IS GUILTY" (Col.)
LIBERTY—(1,800), 10c-15c-25c, 7 days. **Gross:** $3,800. (Average, $4,000)

"OF HUMAN BONDAGE" (Radio)
MUSIC BOX—(950), 25c-40c-55c, 7 days. (Extended run from Music Hall.) **Gross:** $3,400. (Average, $4,000)

"HERE COMES THE NAVY" (Warners)
MUSIC HALL—(2,275), 25c-40c-55c, 7 days. **Gross:** $6,500. (Average, $6,500)

"SHOOT THE WORKS" (Para.)
PARAMOUNT—(3,050), 15c-25c-35c, 7 days. Stage: Ches Davis' "Chicago Follies." **Gross:** $5,400. (Average, $6,000)

Franklin About Set To Start "Gambling"

Having rounded out the principal cast, Harold B. Franklin starts production on "Gambling" at the Eastern Service Studios in Astoria, L. I., on Aug. 20. In addition to George M. Cohan, Wynne Gibson and Dorothy Burgess will be in the cast. Rowland V. Lee will direct. Fox will release.

Harlow Is $10,300 Top in Providence

PROVIDENCE, Aug. 12.—Jean Harlow's drawing power pulled Loew's State up to a strong $10,300 last week. While the figure is under par it was far and away the best take of an otherwise disheartening week. The picture, "Girl from Missouri," was aided by a stage show headed by a local boy, Harry Kahne & Company.

The Majestic, Albee and Paramount were down the scale, none of the houses garnering over $4,000.

Total first run business was $21,075. Average is $33,500.

Estimated takings for the week ending Aug. 9:

"OLD FASHIONED WAY" (Para.)
"ELMER AND ELSIE" (Para.)
PARAMOUNT—(2,300), 15c-40c, 7 days. **Gross:** $3,000. (Average, $6,500)

"GRAND CANARY" (Fox)
"EMBARRASSING MOMENTS" (Univ.)
MAJESTIC—(2,400), 15c-40c, 7 days. **Gross:** $3,800. (Average, $7,000)

"THE GIRL FROM MISSOURI" (M-G-M)
LOEW'S STATE—(3,800), 15c-40c, 7 days. Harry Kahne & Co. heading five acts of vaude. **Gross:** $10,300. (Average, $12,000)

"THE DEFENSE RESTS" (Col.)
"THE LADY IS WILLING" (Radio)
RKO ALBEE—(2,300), 15c-40c, 7 days. **Gross:** $3,000. (Average, $7,000)

"COCKEYED CAVALIERS" (Radio)
"UNKNOWN BLONDE" (Monogram)
RKO VICTORY—(1,600), 10c-25c, 4 days. **Gross:** $975. (Average, $1,000)

"Andy" Proves Detroit Smash With $27,000

DETROIT, Aug. 12.—"Handy Andy" knocked the most optimistic box-office estimates spinning at the Fox. Torrid weather had no effect whatsoever on the customers. They packed the house to the tune of $27,000, nearly double the normal take.

Other houses took it on the chin as a result. Even "The Girl from Missouri," rated a big draw, was below par at $18,600 in the Michigan. "Hollywood Party" and "The Man with Two Faces" were away off.

Total first run grosses were $59,500. Average is $55,000.

Estimated takings for the week ending Aug. 9:

"HOLLYWOOD PARTY" (M-G-M)
FISHER—(2,975), 15c-50c, 7 days. **Gross:** $6,200. (Average, $10,000)

"HANDY ANDY" (Fox)
FOX—(5,100), 15c-50c, 7 days. Stage: Long Tack Sam & Co., heading stage show. **Gross:** $27,000. (Average, $15,000)

"THE GIRL FROM MISSOURI" (M-G-M)
MICHIGAN—(4,100), 15c-50c, 7 days. Stage: Joe Morrison of Last Round Up fame heading seven-act show. **Gross:** $18,600. (Average, $20,000)

"THE MAN WITH TWO FACES" (F.N.)
UNITED ARTISTS—(2,070), 25c-50c, 7 days. **Gross:** $7,700. (Average, $10,000)

N. O. Disturbed by Music License Row

NEW ORLEANS, Aug. 12.—Indignation over the proposed increase in music licenses will probably result in some action being taken by the Gulf States Theatre Owners' Ass'n here. Whether the Gulf States will go to court with the American Society of Composers, Authors and Publishers, is not known. H. S. McLeod, president, says a formal protest would probably be lodged with the society.

Rogers Film Big Holdover, Philadelphia

PHILADELPHIA, Aug. 12.—"Handy Andy" was still the big noise here in its second week. It held up to $14,500 at the Fox with a stage show.

"Here Comes the Navy," for which big things had been predicted, took $15,000 in nine days. Average for the Stanley for six days is $12,000. The weather was much better than in recent weeks.

Total first run business was $44,300. Average is $45,100.

Estimated takings for the week ending Aug. 2:

"GRAND CANARY" (Fox)
ARCADIA—(600), 25c-40c-50c, 8 days. **Gross:** $2,800. (Average, 6 days, $2,400)

"GREATEST GAMBLE" (Radio)
EARLE — (2,000), 40c-55c-65c, 6 days. Stage: Alex Morrison, Charlie Foy, and others. **Gross:** $11,500. (Average, $12,000)

"HANDY ANDY" (Fox)
FOX—(3,000), 30c-40c-60c, 6 days, 2nd week. Stage: Radio Ramblers with Sibley and Demarest, Dawn and Darrow and the Debutants. **Gross:** $14,500. (Average, 12,000)

"WE'RE RICH AGAIN" (Radio)
KARLTON—(1,000), 30c-40c-50c, 6 days. **Gross:** $2,600. (Average, $3,500))

"HERE COMES THE NAVY" (Warners)
STANLEY—(3,700), 40c-55c-65c, 9 days. **Gross:** $15,000. (Average, 6 days, $12,000)

"MAN WITH TWO FACES" (F. N.)
STANTON—(1,700), 30c-40c-55c, 6 days. **Gross:** $5,600. (Average, $6,000)

"Alibi" and "Eyre" Are High in Omaha

OMAHA, Aug. 12.—In a week of fair business a dual consisting of "Midnight Alibi" and "Jane Eyre" made the best comparative showing by getting $4,600 at the Brandeis.

"Harold Teen" and "I Give My Love" went slightly over par with $4,200 at the World. At the Orpheum "Grand Canary" and "Kiss and Make Up" were average with $7,500.

Total first run business was $16,300. Average is $15,500.

Estimated takings:

Week Ending Aug. 9:

"GRAND CANARY" (Fox)
"KISS AND MAKE UP" (Para.)
ORPHEUM—(3,000), 25c-40c, 7 days. **Gross:** $7,500. (Average, $7,500)

"MIDNIGHT ALIBI" (F. N.)
"JANE EYRE" (Monogram)
BRANDEIS—(1,500), 20c-25c-35c, 7 days. **Gross:** $4,600. (Average, $4,000)

Week Ending Aug. 8:

"HAROLD TEEN" (Warners)
"I GIVE MY LOVE" (Univ.)
WORLD—(2,200), 25c-40, 7 days. **Gross:** $4,200. (Average, $4,000)

City Asked to Take Cincy's Music Hall

CINCINNATI, Aug. 12.—The city will be petitioned to take over the Music Hall here from the bondholders of the Music Hall Ass'n., who have defaulted four $20,000 interest payments on first mortgage bonds. The property is valued at $2,700,000, and was built by public subscription. The site was deeded by the city.

Although used for the bi-annual May festivals and similar events, it also plays an occasional season of pictures, having been wired for sound a few years ago.

The Leading Daily Newspaper of the Motion Picture Industry

MOTION PICTURE DAILY

Alert, Intelligent and Faithful Service to the Industry in All Branches

VOL. 36. NO. 37 NEW YORK, TUESDAY, AUGUST 14, 1934 TEN CENTS

Warners Tip Film Budget $5,000,000

Business Will Improve, Jack L. Predicts

HOLLYWOOD, Aug. 13.—Warners' production budget will be $5,000,000 higher for the 1934-35 season than last year, Jack L. Warner stated today.

"Warner Brothers are confident that the nation and the rest of the world are headed for greatly improved business conditions during the coming year and we know that the motion picture industry is going to benefit in the general improvement," Warner stated.

"Our budget for the new season

(*Continued on page* 4)

Production Gains; 38 Features Going

HOLLYWOOD, Aug. 13.—Production continues on the incline with 38 features and nine shorts before the cameras as compared to 36 and seven for the previous week. In addition to this there are 25 features and nine shorts in the final stages of preparation promising to start within the fortnight and 43 features and 22 shorts in the cutting rooms.

Warners continue to lead the field

(*Continued on page* 4)

U. A. Suit to Await An Official Decision

United Artists will not file suit against Campi for interpretation of the cancellation clause until Code Authority hands down an official order of the decision in the Albion, Albion, Ind., case. The opinion of Campi's legal committee will be approved Aug. 23.

This is the case where an exhibitor is said to have bought all the pictures offered by the distributor, but was refused a cancellation on a $12.50 film. An appeal committee and Campi both unanimously voted in favor of the exhibitor.

Tomorrow Deadline On Code Compliance

Exhibitors who have not signed code assents have until tomorrow night to send in compliances. Hundreds of nonassentors already have taken advantage of the extension recently granted by the NRA, and Campi is anxious

(*Continued on page* 4)

Fox Midwest Sessions to Start Today

Two-Day Meeting Draws 100 Theatre Heads

TOPEKA, Aug. 13.—Showmanship methods to be employed in this year's fall campaign will feature plans for the new theatre season under discussion at the two-day convention of Fox Midwest Theatres in Topeka Tuesday and Wednesday. More than 100 managers, district managers and executives will attend, representing the entire Midwest division of Fox West Coast, which embraces Kansas, Missouri, southern Illinois and Iowa.

Convening on the roof of the Jayhawk Hotel with Lon Cox, St. Louis

(*Continued on page* 4)

Jersey Dual Moves Wait for Circuits

Elimination of duals in New Jersey now depends on what action major circuits take on the plan. Skouras, Loew, RKO and Paramount, already committed to drop twins starting Sept. 3, haven't actually signed yet.

Allied of New Jersey, which is espousing the idea, has signatures of 55 theatres and will deliver the rest of its membership when the circuits come through. A meeting of Allied's committee, comprising Harry Kridel, chairman; Julius Charnow, Nathan Myers, Jack Pinelis and Benjamin Berkowitz, will be held today to further discuss the matter.

Nebraska, Iowa Men May Return to Code

OMAHA, Aug. 13.—Return of about 200 exhibitors in Nebraska and Iowa to observance of the code and a reconciliation with code boards is regarded as possible here following a conference which Calvin Bard had with Division Administrator Sol A. Rosenblatt at the railroad station.

Bard met Rosenblatt with Mrs. Mollie Rosenblatt, the division administrator's mother, who lives here. He would not give details of his conversation with Rosenblatt, but indicated his optimism.

MPTOA Directors to Delay Their Session

Because several members are away on vacations, the quarterly meeting of M. P. T. O. A. directors, slated for

(*Continued on page* 4)

Film Auto Theft

New Orleans, Aug. 13.—Police here owe a vote of thanks to the Harcol Film Co. for helping them arrest two men who, it is alleged, stole an auto parked before a negro convention hall here. The company made a film of the meeting and when it was viewed the negro whose car was stolen had the rare opportunity of seeing just how it was done in the movies.

Police, called in, recognized the thieves and arrested them shortly after.

Quickies Bad For Business, Mayer Asserts

By BRUCE ALLAN

LONDON, Aug. 13 (*By Mail.*) — Ten thousand dollar quickies are nails in the coffin of trade, asserts Louis B. Mayer. He admits M-G-M has been handling that sort of quota film here, but says it is because the company has had no direct tieup with any British firm for production.

Talks are in progress with London Films whereby M-G-M may use floor space for British production, and a program of from eight to 15 features is mentioned. At the moment, however, it is impossible to say definitely

(*Continued on page* 2)

Philadelphia Floor Shows Are Stopping

PHILADELPHIA, Aug. 13.—That floor shows have been stopped in many taprooms here and in other cities of the state is indicated in a report on this source of competition presented at a meeting today of the Independent Exhibitors' Protective Assn.

The state has allowed taprooms until Sept. 1 to pay a $500 license fee where entertainment is provided. A penalty of half the license fee is levied

(*Continued on page* 4)

Means for Stapel's Buying Delay Idea

KANSAS CITY, Aug. 13.—Endorsing the proposal for a four-week "buying strike" urged on Kansas-Western Missouri exhibitors by John C. Stapel, president of the K. M. T. A., in a move to force 1934-35 film rentals down, Jay Means, president of the I. T. O. of Greater Kansas

(*Continued on page* 4)

New Fox Met. Plan Before Court Today

Both Stockholders and Bondholders Want It

With Fox Metropolitan preferred and common stockholders in accord with the reorganization plan recently submitted by the bondholders' committee, Federal Judge Julian W. Mack today will decide whether or not the circuit can be reorganized under section 77-B of the new bankruptcy laws. A meeting, slated for yesterday, was postponed until today.

Fox Theatres, which controls the stock, is understood anxious to see the reorganization plan go through as submitted by the bondholders since it will receive some kind of a settlement, it is said. All properties are

(*Continued on page* 4)

Briefs Ordered in Para. Bonds Suit

In reply to Samuel Zirn's application, on behalf of Paramount bondholders, to examine officers of creditor banks and officials, past and present, of Paramount Publix, as well as William Paley, president of CBS, and Sir William Wiseman and Gilbert Kahn, of Kuhn, Loeb Co. Justice H. J. Roseman in the Supreme Court

(*Continued on page* 4)

Columbus Payrolls Show Gain in July

COLUMBUS, Aug. 13.—Industrial employment here showed a gain of 5.4 per cent in July as compared with the June figures, while the increase was 21.5 per cent greater than July, 1933, according to a survey by the Ohio State University Bureau of Business Research.

Other major key cities experienced a slight decline, the statewide decrease being 3.9 per cent for July, although employment was 15.1 per cent greater than for the same month last year.

Purchase of Marcus Holdings Approved

SALT LAKE CITY, Aug. 13.—Referee John E. Joyce will recommend to the court that Paramount Theatres Corp. be permitted to buy out the interests of Mayor Louis Marcus in 14 Publix houses in Utah and Idaho.

He held a hearing here late last week. A final decision is expected shortly.

MOTION PICTURE DAILY

(Registered U. S. Patent Office)

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Funeral Tonight for Melville E. Tucker

Funeral services for Melville E. A. Tucker, secretary, treasurer and director of Consolidated Associates; the Setay Co., Inc., Setay Royalties and Metropolitan Royalties; secretary and treasurer of Biograph Studios and Columbia Phonograph Co., and purchasing agent for Consolidated Film Industries, will be held tonight at 6 o'clock at Universal Funeral Chapel, 597 Lexington Ave. Services will be private.

Tucker died Saturday. He was recuperating from a short illness. A widow, Harriet Tucker, and one son, Melville, Jr., survive.

Thomas Burial Tomorrow

Funeral services for Augustus Thomas, dean of American playwrights, who died at the Clarksburg Country Club from an apoplectic stroke, will be held tomorrow at 10:30 o'clock at St. George's Protestant Episcopal Church, 207 East 16th St.

Thomas was made executive chairman of the Producing Managers' Ass'n. in 1922. "Editha's Burglar," "Alabama," "Arizona," "In Mizzoura," "The Copperhead" and "Love Will Find a Way" are some of his plays. He wrote about 50 in all.

Increasing Gem Capacity

Seating capacity of the Gem, Far Rockaway, which will be taken over by Loew's Sept. 1, is being increased from 600 to 1,500.

Quickies Bad For Business, Mayer Asserts

(Continued from page 1)

that M-G-M will go into British production on that or any other basis.

Mayer is guarded in his discussion of the problem. He says that if the company does decide on London production the product will be made on the Hollywood scale with ace directors and stars and the Hollywood schedule would be reduced accordingly.

* * *

That American producers and directors have been running copies of "Henry VIII" to bits studying the technique of the picture was another Mayer revelation. It lent point to his remark that America would welcome up to 40 "Henry VIII's" a year. So would England!

* * *

Rumors that the Stoll circuit of variety theatres was being acquired by a film group revived on the statement that Manchester Hippodrome would go talkie in September. No official announcement.

* * *

Court ruling of importance to producers made by Justice Luxmoor in dismissing First National's appeal against the refusal of the Board of Trade to register "The Blue Squadron" as a British production. Fact that 2,900 of the 8,000 feet of the subject were from Italian official air force films disqualified the subject from the legal description "British," said the Judge.

Warsaw Exhibitors Again Seeking Cuts

Washington, Aug. 13.—The annual plea for a reduction of amusement taxes is in full swing in Warsaw (Poland), according to American Commercial Attache Clayton Lane in a report to the U. S. Department of Commerce.

At the beginning of each summer season, exhibitors have applied to the city magistrate for seasonal tax reductions, basing their claim on the decline in business. The reductions asked vary from 20 to 30 per cent of the taxes now paid.

Bernerd Denies Lee Will Quit Gaumont

Jeffrey Bernerd, general manager of Gaumont British, denies rumors that Arthur A. Lee will resign as head of the company's American activities. His duties will be increased under the proposed expansion, Bernerd asserts.

"My mission here is to effect a complete reorganization of the company," Bernerd says, "and set in motion the initial plans for establishment of a nationwide exchange system. I wish to state that Lee's status with this company is in no way affected by these plans except as his responsibilities are broadened and increased."

"Navy" at $17,321 In Its Third Week

"Here Comes the Navy" was still going strong at the end of its third week in the Strand. It held up to $17,321.

"Friends of Mr. Sweeney" was good for $11,000 in its second week at the Mayfair. "Personality Kid" at the Rialto took $8,000. "Handy Andy" grossed $13,100 at the Roxy over the week-end and is being held a third week.

B. F. Keith Reports Loss of $59,198.24

A net loss of $59,198.24 is reported for B. F. Keith Corp. and its subsidiaries for the half year ended June 30, 1934. While the company made a net profit after income taxes of $336,734.79, depreciation of $395,933.03 caused the unfavorable showing.

For the same period Keith-Albee-Orpheum and its subsidiaries reported a net profit of $485.73.

No Dillinger License

Permission to appear on the stage here has been denied John Dillinger, Sr., by License Commissioner Paul Moss. Samuel J. Burger, handling the arrangements for Dillinger's appearance here, explained that the gunman's father was to give a brief talk, "A Sermon and A Lesson for Parents and Others Generally."

Mrs. Hal Roach Injured

Hollywood, Aug. 13.—Mrs. Hal Roach, and her daughter, Margaret, were slightly injured here today in an automobile accident.

Stocks on Big Board Advance

	High	Low	Close	Net Change	Sales
Columbia Pictures vtc.	27¾	27¼	27¾	+1¾	100
Consolidated Film Industries	2⅝	2⅝	2⅝	— ⅛	100
Eastman Kodak	98¾	98¾	98¾	+1¼	100
Fox Film "A"	10	9¾	10	+ ¼	200
Loew's Inc.	27¾	25⅜	27⅜	+1⅜	3,700
Paramount Publix cts.	3¼	3⅛	3¼	+ ⅛	1,100
Pathe Exchange	1¼	1¼	1¼	+ ⅛	200
Pathe Exchange "A"	14	13⅝	13⅝	+ ¼	200
RKO	2⅛	2	2	.....	500
Warner Bros.	4⅛	3⅞	4⅛	+ ⅛	1,100

Trans Lux Rises ⅛ on Curb

	High	Low	Close	Net Change	Sales
Technicolor	12¼	12¼	12¼	— ⅛	300
Trans Lux	1⅞	1⅞	1⅞	+ ⅛	100

Paramount Publix Bonds Up ⅞

	High	Low	Close	Net Change	Sales
Loew's 6s '41 ww deb. rights	100⅛	100	100⅛	+ ⅞	7
Paramount F. L. 6s '47	39	39	39	+1	1
Paramount Publix 5½s, '50	41	41	41	+ ⅞	1
Pathe 7s '37 ww	93	93	93	— ¼	1
Warner Bros. 6s '39 wd	53	53	53	— ½	2

◀ *Purely Personal* ▶

Joseph Bernard, general manager of Warner Theatres, accompanied by his son, Jack, spent the week-end with a party of friends at the Lazy K Bar dude ranch of Ralph Budd, Warner personnel manager, in the Delaware River valley.

William Scully returned yesterday from a two weeks' tour of M-G-M exchanges in Boston, Washington and Charlotte.

Ben Goetz, Jack Cosman and Phil Reisman are on the high seas bound for England. They are on the *Paris*.

Mrs. Dewey Robinson is here from the coast to join her husband, who has a role in Select's "Gigolette." They are stopping at the St. Moritz.

Leslie E. Thompson will be chairman of the next Campi session. R. H. Cochrane follows Thompson.

Georgie Price has been signed for a two-reel musical short to be made at the Vitaphone studio in Brooklyn.

William E. Atkinson, receiver for Fox Theatres Corp., is back from a week's visit to his home in Virginia.

William Melnicker, South American head for M-G-M, is on his way home after several months here.

Lee Ochs hasn't made up his mind when he'll take a boat for the Argentine.

Glenda Farrell is recuperating at the Warwick from her recent appendicitis operation.

Dave Palfreyman treks to Indiana the end of the week for a vacation which will last until Labor Day.

J. Louis Geller is back from a week's vacation.

Hal Horne returned from the coast yesterday.

Adolph Zukor is on his way to the coast, having left Sunday.

Anita Loos checked in at the Warwick yesterday from the coast.

To Broadcast "Gigolette"

Calling it a radio trailer, Sam Taylor, WMCA screen reporter, will stage a scene from "Gigolette" at the Biograph Studio tonight from 7 to 7:30 over the American Broadcasting Co.'s hookup. Charles LaMont, director, will have most of his cast on hand, including Adrienne Ames, Robert Armstrong, Ralph Bellamy, Donald Cook, Dewey Robinson, Ernest Wood and Milton Douglas.

"Dames" Opening Set

Warners are putting on a heavy campaign for the opening of "Dames" at the Strand tomorrow night. The activity in the lobby will be broadcast over station WINS and Phil Baker will sing songs from the picture into the lobby microphone. Twelve girls in a contest to become Dick Powell's leading woman in "Hollywood Hotel" will be escorted to the house by the Vitaphone chorus.

Chadwick Returns West

Cutting short his stay here, I. E. Chadwick, independent producer, has returned to the coast.

NOW
YOU KNOW FOR YOURSELF
how big it is!

HAROLD LLOYD

in

The Cat's Paw

From the Saturday Evening Post story
by CLARENCE BUDINGTON KELLAND

A FOX release

Radio City Music Hall opening Aug. 16

Every thing *new* but these

Fox Midwest Sessions to Start Today

(*Continued from page* 1)

district manager, wielding the gavel, the meeting will open with an official welcome by Omar Ketchum, mayor of Topeka and Democratic nominee for governor of Kansas. Keynote of the third annual convention will be sounded by Elmer C. Rhoden, division manager, who leads the list of speakers with a talk on "Looking Forward—With a Glance Backward," in which 1934-35 plans will be discussed.

Charles E. Shafer, chief auditor at Midwest's home office in Kansas City, will speak on "Man Power," and L. E. Pope, general purchasing agent, on "Co-operation," while L. O. Honig, manager of the real estate department, will discuss that subject.

To Hear Preacher

The Tuesday afternoon session will be taken up by an address by Rev. William S. Dando, pastor of the First Presbyterian Church, Emporia, on "If I Were a Theatre Manager," and presentation of the manual of showmanship for 1934-35 containing the complete plan of Fox Midwest's fall campaign by Howard E. Jameyson, Wichita district manager, followed by a screening of new product at the Jayhawk Theatre. In the evening there will be a general discussion, with a closing message by Rhoden, and a screening at the Jayhawk at 11 P. M.

Wednesday will be devoted mainly to play. Following a screening in the morning, the delegates will go to White Lakes Golf Club, arriving in time for lunch. There will be a driving contest and golf tournament with Lawrence Breuninger, Fox Topeka city manager, as chairman. The convention will wind up with a banquet Wednesday evening at the golf club, Rhoden presiding as toastmaster.

Harry A. McClure, district manager at Topeka, is in charge of convention arrangements. Besides executives named, among others attending will be Leo J. McCarthy, district manager at Kansas City; Edward Shanberg, F. E. Ritter and Martin Finkelstein, district bookers; R. G. Montgomery and Charles Jones.

MPTOA Directors to Delay Their Session

(*Continued from page* 1)

Chicago this week, has been postponed indefinitely. The date will be definitely set upon return of Ed Kuykendall, president, for the next Campi session, Aug. 23. Kuykendall is anxious to have a full meeting of the board.

Fred Meyers, secretary, returns from the coast to Milwaukee the end of the week, having successfully recovered from a serious operation while attending the annual M. P. T. O. A. convention in Hollywood recently.

Flash Reviews

Side Streets— . . . moving and sincere and ought to appeal especially to women at neighborhood theatres.

House of Greed—. . . appeal cannot be more than limited. . . .

These films will be reviewed in full in a later issue of Motion Picture Daily.

Briefs Ordered in Para. Bonds Suit

(*Continued from page* 1)

yesterday granted both sides until next Thursday to file briefs. The next hearing of the application is tentatively set for Tuesday.

The banks concerned in the action, listed as preferred creditors, are Chase National, Bankers Trust Co., Central Hanover Bank and Trust Co., Chemical Bank and Trust Co., Commercial National Bank and Trust Co., County Trust Co., Empire Trust Co. and Manufacturers Bank and Trust Co.

Means for Stapel's Buying Delay Idea

(*Continued from page* 1)

City, declared "exhibitors should refrain from buying so long as the distributors make such impossible demands."

While the selling season has not started among subsequents in Kansas City proper, first run and circuit deals having precedence, Means said he had heard "from a large buyer" that distributors this year are selling a greater number of pictures on percentage, on terms of 25, 30 and 35 per cent.

"Theatres like mine and other subsequents can't stand that much tariff and stay in business," he commented. "The sales managers always use the strategy of throwing out their bait to see how much of a chunk the exhibitor will bite off."

Warners Boost Film Budget by $5,000,000

(*Continued from page* 1)

will run more than $5,000,000 greater than the previous year, because we have scheduled the greatest number of big pictures in the history of our company.

"Experience has proved that outstanding pictures can overcome heat, drought and every other adverse element."

Production Gains; 38 Features Going

(*Continued from page* 1)

with six features in work, two preparing and nine editing; M-G-M has five, four and 11; Radio has five, five and two; Fox, four, two and three; Universal, four, one and three; Columbia, four, two and three; Paramount, three, four and three; Goldwyn, two, zero and zero; Roach, one, zero and zero, while the independent group shows four, five and eight.

In the short subject division M-G-M reports two working, three preparing and four editing; Roach, zero, zero and one; Columbia, zero, one and two; Radio, one, one and seven, while the independents report six, four and eight.

Philadelphia Floor Shows Are Stopping

(*Continued from page* 1)

in event the payment is not made on time.

A board of governors was named at the meeting. Its members are: Morris Wax, chairman; Harry Fried, Columbus Stamper, Herbert Elliott, William Butler, John Bagley, Norman Lewis, Dave Shapiro, and Clarence Hexter, with David Barrist as an honorary member. Also named was an alternate board consisting of John Munroe, Lou Berger, Ray Schwartz, Leo Posel, David Milgram, George Sobel, George Naudascher, Joe Price, Sam Waldman and Harry. Perelman. While the alternate board may sit with the regular board, it cannot vote.

Formation of a cabinet composed of a staff of experts, picked from outside the organization, was announced at the meeting. The purpose of this group is to help members solve problems that may arise. Representatives of the following departments have already been selected to sit on the cabinet: legal, electrical engineering, purchasing of supplies and equipment, advertising. Four other divisions are to be represented.

MOTION PICTURE DAILY'S HOLLYWOOD PREVIEW

"Chained"

(M-G-M)

Hollywood, Aug. 13.—Trimmed with lavish externals which are satisfying to the eye and transmitted by Joan Crawford and Clark Gable, "Chained" should draw for showmen on the strength of these box-office values alone.

However, the plot is not of recent vintage. It involves a triangle of the married Otto Kruger, single Joan, his secretary, and bachelor Gable, a dashing rancher. Their clash of wills and the combat of emotional reachings make semi-interesting this oft told story extolled here as a mental thesis with underplaying of human interest, although the dramatic explorations emphasize the logical problem involving the three people, rather than stressing the heart touching elements.

Although Edgar Selwyn's original is less than modern, Clarence Brown's direction, the production's photography, settings and costumes are all that could be desired.

Miss Crawford and her alluring gowns are photographed beautifully. Gable is his usual virile self, balancing some breezy moments with romantic appeal. Much needed comedy is supplied by Stuart Erwin. Otto Kruger is dignified and Una O'Connor select as the maid.

"Chained" might be good box-office. Its entertainment value is another matter. Running time, 78 minutes.

New Fox Met. Plan Before Court Today

(*Continued from page* 1)

controlled by bond indentures, but stockholders will get certain monies from the free assets, provided the bondholders' committee plan goes through. This plan also calls for continuance of Skouras and Randforce in operation of the 87 houses.

Fox Theatres recently stepped into the situation when Archibald R. Watson, attorney for the company, was named president and chairman of the new board of Fox Met.

Provided Judge Mack approves the reorganization plan, Warners will step out of the picture. Warners are interested in the 18 New Jersey houses, but can bid for them only at a foreclosure. If the plan before Judge Mack today is sanctioned there will be no foreclosure Thursday.

It is likely a new name will be selected for the circuit, if and when the court approves the reorganization plan.

Lust Wins Decision On Notes Clearance

Washington, Aug. 13.—The long deferred decision of the local grievance board on the case brought by Sidney B. Lust against Notes Theatres, in the matter of extended playing time and non-release of product, has been handed down.

The board decided that pictures licensed by the Notes Theatres shall become available for licensing by Lust 120 days after the first exhibition in any of the five Notes houses. Decision becomes effective Sept. 1.

Originally heard on July 9, Lust contended that the scope of the contracts held by Isaac Notes was such as to keep satisfactory product from the Leader, Lust house.

Tomorrow Deadline On Code Compliance

(*Continued from page* 1)

to have as many new signatures in by Aug. 15 as possible.

Very few theatre owners have complained of the assessment and 90 per cent of those who have signed have already paid. It is expected that the second half-year levy will be readjusted in favor of circuit theatres as well as the independents.

About 17 clearance and zoning appeals remain to be heard by Campi.

Instructions Going Out on Clearances

Instructions to the Milwaukee clearance and zoning board are being sent out this week by Campi. Nathan Yamins and Harold S. Bareford promulgated the list of suggestions. In addition to Milwaukee these are to be mailed to all boards.

Rosenblatt Back at Desk

Washington, Aug. 13.—Division Administrator Sol A. Rosenblatt is back at his desk after two weeks on the coast.

The Leading
Daily
Newspaper
of the
Motion
Picture
Industry

MOTION PICTURE DAILY

Alert,
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Faithful
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in All
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VOL. 36. NO. 38 NEW YORK, WEDNESDAY, AUGUST 15, 1934 TEN CENTS

M-G-M Profit $1,566,072 For 12 Weeks

Equals $10.16 Per Share On Preferred Stock

Metro-Goldwyn-Mayer Pictures Corp. reports a sharp increase in profit for the three months ending June 7, 1934, as compared to the corresponding period of last year.

The net profit for this year, after subtracting Federal taxes, amortization and depreciation, amounted to $1,566,072, as compared to $330,362 last year. This is equivalent for the 12-week period to $10.16 per share on the preferred stock. Last year in the same period the profit was $2.09 per share.

Operating and miscellaneous income totalled $8,029,610. Amortization of negative and positive costs and depreciation totalled $6,194,618, and Federal taxes were $268,920.

Breen Will Confer On Fan Interviews

Hollywood, Aug. 14.—Joseph I. Breen, with all major studio publicity directors, will meet with representatives of fan magazines here tomorrow night to clarify the resolution adopted last week which regulates the activities of fan magazine writers where contract players are concerned.

Fox Midwest Plans To Classify Pictures

Topeka, Kan., Aug. 14.—Fox Midwest Theatres will classify all films during the 1934-1935 season according to whether they are family or

(*Continued on page 8*)

No Walking to Do

Topeka, Aug 14.—Thanks to the foresight of Harry A. McClure, Fox Midwest district manager here, and in charge of convention arrangements, Fox managers haven't far to go to attend the screenings scheduled during their annual pow-wow. The Jayhawk Hotel, convention headquarters, and the Jayhawk Theatre, scene of the screenings, are under one roof with corridor connecting.

Code Charges Revision Looms Due to Protests

Blumenthal Has a New Offer For Fox Met. Houses, He Says

A. C. Blumenthal has an offer for Fox Met which, he says, is better than anything yet presented. He admitted to *Motion Picture Daily* yesterday that Saul Rogers was representing him. Rogers has been scheduled to present the plan to U. S. District Judge Mack tomorrow in Blumenthal's behalf.

No action on it, however, can be taken until the court decides next Tuesday whether to accept the petition for reorganization under the new bankruptcy laws. Blumenthal will not say who is associated with him in his proposal.

Blumenthal says he is the largest approved creditor of Fox Theatres Corp.

Fox Met Plan Goes Over to Next Tuesday

Declaring that only bondholders had a right to file a petition for reorganization, Judge Julian W. Mack yesterday stated that stockholders whose certificates are worthless cannot file plans for reorganization of Fox Metropolitan Playhouses. He pointed out that Fox Theatres, which owns all common and preferred stock in Fox Met., has been in receivership for the past two years and that the stock is worthless and hasn't been

(*Continued on page 8*)

Jersey Allied Dual Move Gains Ground

Progress was reported yesterday by the duals' committee of Allied of New Jersey. Additional signatures are being obtained from Allied members and the circuits are expected to come through shortly. From present indications the single feature plan will not go into effect until after Sept. 3.

Diamond to Produce Abroad for Columbia

Preliminary negotiations were completed yesterday between Dave Diamond and Jack Cohn whereby the former will produce independently for

(*Continued on page 6*)

Lab Code Cost Meets Attack In Washington

Washington, Aug. 14.—Objections to the $21,000 budget for administration of the laboratory code and to amendments of the agreement designed to achieve price fixing through determination of "lowest reasonable cost of production" today were voiced before Deputy Administrator William P. Farnsworth by members of the industry.

Appearing in the dual capacity of chairman of the code committee and

(*Continued on page 6*)

Two Boards Act on One Clearance Case

Cleveland, Aug. 14.—What is believed to be the first case requiring action by two clearance boards has developed here. It was a protest by the Fenray, Martins Ferry, O., against clearance granted Warner theatres in Wheeling, W. Va. Exchange centers

(*Continued on page 6*)

Northern California Indies Enter MPTOA

San Francisco, Aug. 14.—Independent Theatre Owners of Northern California, Inc., has joined the M. P. T. O. A., and Morgan A. Walsh,

(*Continued on page 6*)

Changes Are Predicted For Producers and Distributors

Washington, Aug. 14.—Campi's plan for assessment of producers and distributors will probably be rejected and instructions issued for the development of a new method of raising the $180,000 to be contributed toward code administration by these groups, it was indicated today by Division Administrator Sol A. Rosenblatt.

Returning from his trip to the coast, where he was successful in settling a number of small difficulties which had arisen in past months, Rosenblatt explained he had not personally gone into the assessment situation yet, but stressed that it was not his intention to impose upon producers and distributors any form of assessment which they resist.

Just what form of new plan will be worked out by Campi will be up to that body, but representations are said

(*Continued on page 6*)

"U" Reports Sales At New High Point

Universal reported yesterday that its sales at the moment are further advanced than at any time in the history of the company, being "nearly 800 per cent" ahead of 1933 in the number of contracts closed at this period of the year.

James R. Grainger, general sales

(*Continued on page 6*)

May Settle Holders' Suit Against Loew's

That plans for a settlement have been worked out in the suit for $10,000,000 against Loew's Theatre and Realty Corp., Loew's, Inc., and Paramount Publix was learned yesterday

(*Continued on page 6*)

Another Giveaway

New Orleans, Aug. 14.—Fiorito's Dream, a film house in the lower section of the city, featuring "Should Ladies Behave?" gave away a cocktail set to each woman purchasing a ticket at 15 cents. Cocktail sets retail at 79 cents and $1 in the majority of downtown department stores.

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DAILY

(Registered U. S. Patent Office)

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Lehman Praises Pageant

Howard S. Cullman has been praised by Governor Lehman for booking "The Romance of a People" into the Roxy beginning Sept. 7. The state chief executive states that the popular-price showing of the pageant will offer thousands "a vivid understanding of the history and ideals of the Jewish people."

"Cleopatra" Opening Set

Society and diplomatic circles will be represented along with stage and screen celebrities tomorrow night at the premiere of Cecil B. DeMille's "Cleopatra" at the Paramount at 9 o'clock. Among those expected to attend are the consuls general of Great Britain, China, Panama and France.

Hobby Joins Muller

Jack Hobby, manager of the Inwood, Forest Hills, has resigned to join J. P. Muller & Co., advertising agency, as contact man on theatrical accounts. Hobby was formerly district supervisor of Fox Theatres and publicity man for the New Jersey division.

De Luxe Pickets Freed

The one woman and 23 men arrested Thursday as they picketed the De Luxe in the Bronx were freed of disorderly charges in Morrisania Court yesterday. The picketing was in protest against alleged non-employment of union labor by the house.

Chadwick Advocates Film Import Tariff

PHILADELPHIA, Aug. 14.—I. E. Chadwick favors a tariff against the importation of foreign pictures. He said so here at a dinner in honor of Al Blofson.

American producers do not fear quality competition, he said, but a flood of English and other foreign product is bound to affect American production, he declared. Foreign countries check imports of American films, he said, and this country should do the same to foreign product.

The talk created quite a stir and was followed by considerable discussion.

Schenck, Zanuck and Fairbanks Due Today

Joseph M. Schenck, president of United Artists; Darryl F. Zanuck, production head of 20th Century, and Douglas Fairbanks get in on the *Rex* today.

Zanuck has been away four months. During his absence he has hunted big game in Africa. This was followed by conferences with Schenck and Alexander Korda in London. Fairbanks has been abroad for a long time.

Also in the party are W. P. Lipscombe and R. J. Minney, writers signed by Zanuck.

Theatre Man Grabs Senate Nomination

ST. LOUIS, Aug. 14.—Official returns from the recent primary show that John P. Shea, North St. Theatre manager, won the Democratic nomination for state senator in the 34th District by half again as many votes as all his opponents combined.

Louis C. Hehl, secretary-treasurer of the M.P.T.O. of St. Louis, Eastern Missouri and Southern Illinois, finished fifth in a field of 14 in the race for the Republican nomination for the Missouri House of Representatives in the First District.

Stevenson Opens Office

Edward F. Stevenson, former president of Visugraphic Pictures, Inc., has opened an office as a publicity counselor and will take charge of a fund-raising campaign for the Fusion party. Stevenson has been connected recently with the Crosby Gaige theatrical interests and with General Wines & Spirits Corp. as general sales and advertising manager.

St. Louis Theatres Personnel Shifted

ST. LOUIS, Aug. 14.—Personnel switches have been numerous as a result of the reopening of the Ambassador.

Harry Greenman, Fox manager, who is key man for F. & M., has moved into the Ambassador, so that he can supervise that house as well as the Fox and Missouri. Charles Kurtzman, former manager of the St. Louis, has succeeded Greenman at the Fox.

Harry Arthur, general manager for F. & M., is expected to make this city his headquarters in the near future to supervise the central west and south.

Larry Davis, assistant treasurer at the St. Louis, has taken the same post at the Missouri. Jack Rosenzweig, Fox treasurer, has been moved downtown with Greenman. Benny Battin is the new Fox treasurer.

Admission Tax Now Asked in St. Louis

ST. LOUIS, Aug. 14.—Theatres continue to be the target of the Aldermanic Special Tax Raising Committee. The latest proposal, already approved and ready to be presented to the full board, is for an admission tax scale as follows:

Tickets costing 25 to 50 cents, one cent; from 50 cents to $1, two cents; from $1 to $2, five cents; from $2 to $3, 10 cents; from $3 to $4, 20 cents. Admissions below 25 cents would be exempt.

Total income from this source is estimated at $100,000. The plan is one of a number designed to raise $4,450,000 to take care of a deficit.

"River" Aims at $88,000

"One More River" stands a chance of reaching $88,000 on the week at the RKO Music Hall. All it has to do to reach the mark is maintain the pace it has been holding. Opening day chalked up $14,000. That was Thursday. Monday's take was $10,648, and at the end of the fifth day, Monday, the total was $68,000. The picture opened with practically no advance campaign. It cannot be held over, because of the booking on "The Cat's Paw."

Roxy Holding "Andy"

"Handy Andy" will be held a third week at the Roxy. To take care of the crowds the theatre is opening at 11 A. M. this week.

◂ Purely Personal ▸

LEE OCHS, HARRY THOMAS, JAY WEINBURG, LOUIS PHILLIPS, LOUIS BLUMENTHAL, JACK SHAPIRO, NAT COHEN, SOL SCHNITZER, HARRY SHIFFMAN, LOUIS NIZER and J. C. BARNSTYN lunched at the M. P. Club yesterday.

ERNEST TRUEX is having a busy week. He is working in an Educational comedy at Astoria, rehearsing for a new JOHN GOLDEN play for the RUDY VALLEE hour and is also in charge of the TRUEX players in White Plains.

FLORENCE ABRAMSON, secretary of the New York clearance board, is on a week's vacation. LILLIAN SILVER, secretary of the local grievance board, leaves Monday on her respite.

ROBERT MOCHRIE, assistant to A. W. SMITH, Warners' sales and distribution chief in the east, departs for Cleveland today on company business. He will be away a couple of days.

W. SOMERSET MAUGHAM'S "The Sacred Flame" has been acquired by Warners. WARREN WILLIAM and CLAUDETTE COLBERT are being considered for the leads.

LOUIS NIZER, secretary of the New York Film Board of Trade, sails Saturday for Europe on a four-week vacation.

L. W. (MIKE) CONROW, eastern division general manager of sales for Erpi, leaves tonight for a sales trip to Boston and New England.

NICK LUCAS finishes work today in "Run on the Bank," two-reel musical short, at the Vitaphone plant in Brooklyn.

POLAN BANKS' story, "She Made a Million," has been bought by Universal.

MORRIS GOODMAN, foreign sales manager for Mascot Pictures, left yesterday for Toronto.

GRACE HAMPTON, stage star, has been assigned a role in Select's "Gigolette."

SAM MORRIS is thinking of making another trip to Europe within the next few weeks.

CONSTANCE BENNETT is on her way east to sail Friday for a European vacation.

SI FABIAN has moved his offices to the Paramount Building.

HERSCHEL STUART has returned from a short trip to Connecticut.

Chaplin Starts Soon

HOLLYWOOD, Aug. 14. — Charlie Chaplin will start work on his first film in three years late next month. The picture will be based on the problems facing the "little man." Paulette Goddard will have the feminine lead opposite the comedian. The film, the title of which has not been disclosed, will be completed in January.

Weighs End of La. Tax

BATON ROUGE, Aug. 14.—The Louisiana legislature met in special session tonight to consider repeal of the 10 per cent theatre tax as well as the levy on theatre signs.

Eastman Pfd. Off 5 on Big Board

	High	Low	Close	Net Change	Sales
Consolidated Film Industries	2⅝	2⅝	2⅝	.....	100
Consolidated Film Industries, pfd	13	12⅞	12⅞	+ ⅝	200
Eastman Kodak	98¾	98	98	− ¾	400
Eastman Kodak, pfd	140	140	140	−5	10
Fox Film "A"	10¼	10⅛	10⅛	+ ⅛	500
Loew's, Inc.	27⅛	26⅜	26⅜	−1	800
Loew's, Inc., pfd	90	90	90	.....	100
Paramount Publix	3¼	3⅛	3⅛	− ⅛	1,000
Pathe Exchange	1¼	1¼	1¼	.....	700
Pathe Exchange "A"	14	14	14	+ ⅜	100
RKO	2⅛	2⅛	2⅛	+ ⅛	100
Warner Bros.	4⅛	4	4	− ⅛	100

Pathe Bonds Up 1⅛

	High	Low	Close	Net Change	Sales
General Theatre Equipment 6s '40	6¼	6	6¼	+ ¼	13
Loew's 6s '41, ww deb rights	100	99¼	100	.....	10
Paramount F. L. 6s '47	38½	38½	38½	.....	10
Paramount Publix 5½s '50	41	41	41	.....	3
Pathe 7s '37, ww	94⅛	94	94⅛	+1⅛	3
Warner Bros. 6s '39, wd	53⅞	52¾	52¾	+ ¼	2

"TREASURE ISLAND" starts off with a whoop-la week-end at Baltimore, beating the record-holding "Tugboat Annie" by 16 percent. Boston terrific! *You're next!* What a sensation!

(Beery, Cooper, Barrymore)

"GIRL FROM MISSOURI" spreading box-office sunshine from coast to coast! She'll show you!

(Jean Harlow is an eyeful!)

"HIDE-OUT" looks like another "Thin Man", it's got that certain something! *Talk it up!*

(Robert Montgomery, Maureen O'Sullivan)

COAST PREVIEWS on "Barretts of Wimpole Street", "Merry Widow" and "Chained" have set the whole film colony shouting M-G-M! Hello '34-'35! Leo's on the loose again!

GAUMONT BRITISH PICTURE

GAUMONT BRITISH ANNOUNCES ITS AMERICAN DISTRIBUTION POLICY

COINCIDENT with the publication of this announcement, Gaumont British will assume the important position in the American motion picture field to which it is rightfully entitled through the indisputably high quality of the product which it has to offer to the exhibitors and the theatre-going public of this country.

Arrangements are rapidly being consummated for the establishment of an exchange system nation-wide in scope, which will offer the same high quality of service now provided by major American distributors. Without exception these exchanges will be manned by an all-American personnel.

On the opposite page we have described briefly some of the productions which we will offer to discriminating exhibitors for presentation to their supporting patrons, and it is worthy of especial mention that every picture which emanates from our studios has been produced with particular consideration of the requirements of American audiences.

Current and future production plans of Gaumont British include the employment of many of the best known American stars and directors. Technically, as well as artistically Gaumont British and Gainsborough pictures are comparable with the finest produced in America.

We earnestly urge all exhibitors to reserve ample open time in which to book our product in its entirety, a group of not less than twenty pictures for the 1934-35 season, all of which can be secured on equitable terms which will insure their presentation at a liberal margin of profit.

JEFFREY BERNERD, *General Manager*
GAUMONT BRITISH PICTURE CORPORATION
1600 Broadway, New York

GB Gaumont British

Gainsborough Picture

WITH SUCH FINE PICTURES AS THESE!

Anna May Wong in
CHU CHIN CHOW

With George Robey and Fritz Kortner. This splendid, dramatic musical extravaganza, reflecting all the glamor and fascination of the Orient, presents the exotic Anna May Wong at her loveliest. Directed by Walter Forde.

Jessie Matthews in
EVERGREEN

With Sonnie Hale and Betty Balfour. The world-famous Cochran stage play by Benn W. Levy brought to the screen with all the drama and charm of the original production. Romance, comedy and drama blended with unforgettable melodies, in a distinctly different motion picture. Directed by Victor Saville.

Matheson Lang in
LITTLE FRIEND

Co-starred with Mr. Lang in this gripping drama of marital life is a child star whose poignant, appealing, yet poised performance definitely establishes her as the most important screen discovery of recent years. She will take America by storm. The picture is directed by Berthold Viertel.

● *In addition to "The Iron Duke", George Arliss will make two more pictures for Gaumont British; Jan Kiepura, sensational star of "Be Mine Tonight" will be seen in his second picture, "My Song For You"; and Conrad Veidt will be starred in three, the first to be titled "King of the Damned".*

Conrad Veidt in
POWER ("JEW SUSS")

With Benita Hume and Cedric Hardwicke. A compelling screen translation of Lion Feuchtwanger's great novel. A picture inevitably destined to be ranked among the Year's Best Ten. Directed by Lothar Mendes.

George Arliss in
THE IRON DUKE

With the completion of "The Iron Duke" George Arliss will have given to the screen the outstanding portrayal of his distinguished career. This dramatic story of the historical "100 days" and Wellington's defeat of Napoleon at Waterloo is directed by Victor Saville.

Evelyn Laye in
PRINCESS CHARMING

With Yvonne Arnaud and George Grossmith. Never has the bewitching charm and vivacious loveliness of Evelyn Laye been seen to greater advantage than in this lilting tale of a serio-comic revolution in the mythical Kingdom of Ruritania. Directed by Maurice Elvey.

● *We shall release not less than twenty box-office productions during the coming season, and exhibitors have our assurance that every one will possess outstanding entertainment values and, furthermore, will be* **absolutely clean in both theme and dialogue.**

GAUMONT BRITISH ASKS YOU TO SEE THESE PICTURES BEFORE YOU BOOK THEM

cture Corporation

Lab Code Cost Meets Attack In Washington

(Continued from page 1)

representative of Pathe Exchanges, A. B. Poole presented the budget and the M. P. Laboratories Ass'n. amendments as a code official and opposed them as a member of the industry.

A budget of $7,500 would be ample for the work which is in sight for the authority, Poole declared, and the $21,000 budget would impose a burden of $15 per employe per year upon the industry. At the suggestion of Farnsworth, he agreed that the $7,500 budget might be adopted temporarily for three or six months, and such increase as deemed necessary be adopted when the proposed code authority is operating and knows what it has to face.

The only support for the larger budget was given by Charles J. Hirliman, president of the association, who declared $7,500 was inadequate, while Poole's position was supported by Alan Freedman of De Luxe Laboratories, Frank Meyer of Paramount News, J. H. Smith of Cinelab, Ralph I. Poucher of Consolidated Film Industries and Alexander Marks of the Malcolm Laboratories Corp. No support of the association's amendments was offered by Poole, who as an individual assailed both the association and Recovery Administration proposals. The code committee has had no meeting at which to adopt its position with respect to the Administration amendments, he said.

Poole Hits Price Fixing

Poole objected to a provision dealing with sales contract financing, declaring that only two members of the industry had funds with which to do any considerable financing and charging that the provision is an attempt to tear down "an advantage claimed to be held by the two members because of their financial resources." He also opposed the provision for reasonable cost, declaring that no emergency exists which would make price fixing necessary and contending that production this year has been at its 1929 level, while prices have been gradually declining over a long period because of improvements in technique and management.

Any attempt to fix prices, Poole warned, would drive the producers to the acquisition of their own laboratories and would tend to induce laboratories "to rely on the code for profits instead of on good management and technical skill." He pointed out that the code now contains a provision against selling below cost, which no effort has been made to enforce "due to the insistence of a group of laboratories upon fixing of prices."

There is no apparent trend toward monopoly, Poole declared, and no patent control in the industry, so that every laboratory may adopt the latest developments in equipment.

The witness also objected to the proposed method of selecting the authority, contending that Paramount, Paramount News, Consolidated, De Luxe, Columbia, Warners and Pathe do a total of 800,000,000 feet, of which 550,000,000 to 600,000,000 is strictly commercial, while the rest of the laboratories combined do probably less than one-fifth that much, so that any method of selecting the authority which gives the small laboratories equal representation would be unfair.

Challenging many of Poole's statements, Hirliman declared government supervision of financing essential to the smaller laboratories, which, he said, "have been trying to get relief from destructive price cutting for over a year." He charged that Pathe has a 49 per cent interest in the Dupont Co. and that it could take contracts at any price because of its arrangement with that company, profits from which would be sufficient to make negligible any loss on laboratory operations. There will be no small laboratories within a year unless something is done about this situation, he declared.

Too much money is paid executives of small companies, Freedman told the Administration officials in opposing the proposed cost section, and there is also a distinction in the type of business done by the small and large firms which makes fixed prices unnecessary, he added. He opposed a proposal for overtime pay on newsreel work, declaring that the nature of the work was such that overtime was a normal thing, and objected to giving employes two weeks' vacation with pay, which, he said, would cost his company $25,000 a year.

A proposal that costs might be fixed on orders for less than 10,000,000 feet was offered by Stephen H. Eller of the H. E. R. Laboratories.

Four Cases Heard by Campi Appeals Body

Four appeals were heard yesterday by a Campi committee comprising R. H. Cochrane, chairman; Rube Jacter and Joseph Seider. They are: James Piwaronas and Edward Friedman, Garden, Indiana Harbor, Ind., against Alex Manta and Jack Rose, Indiana, Indiana Harbor, Ind., on overbuying; Northern Theatres Co., Rivoli, Indianopolis, against H. A. Calloway, Emerson; G. W. Wolfard, Hamilton; Irving Tamler, Tuxedo, Indianapolis, on premature advertising; B. & K. against H. Schoenstadt & Sons, on reduced admissions; B. & K. against John Kampton, Englewood, Chicago, on reduced admissions.

Eastman to Report For 6-Month Period

ROCHESTER, Aug. 14.—Eastman Kodak Co. will publish a report of its earnings for the first 24 weeks of 1934 this week, marking the second time in the company's history that an interim report has been made public. Operations at the plants in the first six months of the year ran approximately 45 per cent ahead of the corresponding period of 1933, with employment at the highest point since 1930.

Madge Evans Has Termer

HOLLYWOOD, Aug. 14.—Madge Evans was today signed to a new long term contract by M-G-M. Her next will be "What Every Woman Knows."

Para. Drive on Sept. 2

Paramount's latest sales drive starts Sept. 2 and continues until Sept. 8.

May Settle Holders' Suit Against Loew's

(Continued from page 1)

through E. Barron Rockwell, secretary of the bondholders' committee for an issue of $9,000,000 of Allied Owners Corp. first mortgage real estate six per cent sinking fund gold bonds.

Under the proposed settlement, which must be approved by two-fifths of the bondholders, Loew's Theatre and Realty Corp. would have to pay a total of $12,875,000 at the rate of $500,000 a year until June 1, 1943, with payments thereafter at the rate of $525,000 until June 1, 1958.

Northern California Indies Enter MPTOA

(Continued from page 1)

president, who is general manager of the Redwood-Midland Theatres, will be named to the M. P. T. O. A. board of directors.

Other officers are: Vice-presidents, Aaron Goldberg, J. C. Moore and John DiStacio; secretary, H. V. Harvey.

For several years the organization has been in sympathy with M. P. T. O. A. policies, but this is its first affiliation with a national organization.

Diamond to Produce Abroad for Columbia

(Continued from page 1)

Columbia in London. Diamond returned yesterday from the coast where he conferred with Harry Cohn and sails today on the *Manhattan* to close the deal with Joseph Seidelman, in charge of foreign activities for Columbia, and Joseph Friedman, London head.

No stories are set, but the budget on each product will be around $100,000. No date has been set for the start of the first picture. It was definitely stated the pictures will not be quota films.

"U" Reports Sales At New High Point

(Continued from page 1)

manager for Universal, has just closed a deal with the Butterfield circuit for 80 houses in 34 Michigan cities for the entire "U" lineup.

A similar deal has been closed by Grainger with the Durkee circuit of 16 houses in Baltimore.

Only two important circuits in the United States and Canada remain to be signed by Universal. Negotiations with these are now under way.

L. A. Board Works Fast

LOS ANGELES, Aug. 14.—Decisions in 56 cases were handed down today by the local code boards, with 39 more to be handed down tomorrow. Tomorrow night the proposed clearance schedule for this territory will be forwarded for filing with Campi in New York.

Hood, Architect, Is Dead

Raymond Hood, noted architect, one of whose creations was Radio City, died of a complication of diseases yesterday at his home in Stamford, Conn. He was in his 54th year. His widow and three children survive.

Revision of Code Charges Seen Looming

(Continued from page 1)

to have been made in favor of a charge based upon gross receipts. The producers and distributors are to raise $180,000 a year and exhibitors are to raise another $180,000 under the budget worked out by Campi.

MOTION PICTURE DAILY on Aug. 3 exclusively reported that major companies would make protests and that action would have to await Rosenblatt's return.

2 Theatre Transfer Cases Up Tomorrow

Two theatre transfer cases are slated for hearing by the New York grievance board tomorrow with Louis Nizer, secretary of the local Film Board, as attorney for distributors.

One case involves the Fortway, Brooklyn, with Paramount as complainant and the three Levin brothers as defendant. The other case has M-G-M, Paramount, Columbia, Big U, Warners and Majestic as complainants against the Mona Theatre Corp., Glad Amusement Corp., Abraham Drojin, Jihn Gladstone, Henry Lyman and Morris Shapiro.

Yesterday the New York clearance board, after several hearings and rehearings, decided that Trio-Consolidated's theatres, the Symphony, Thalia, Carlton, Olympia and Arden are in opposition to the Edison and each of these houses is entitled to seven days' clearance on the Edison and vice versa.

The Park West, Manhattan and Edison are not competitive, the board held.

Kenosha Giveaways Are Ordered Ended

MILWAUKEE, Aug. 14.—A cease and desist order against advertising tickets and giveaways has been issued against the Southport Theatre Co., Kenosha. The complaint was made by the Vogue Theatre Co., operators of the Vogue.

Another complaint by the Vogue against the same defendant charging giving away of stars' photos was dismissed.

Two Boards Act on One Clearance Case

(Continued from page 1)

involved were Cleveland, Pittsburgh and Columbus.

After the local board had heard the protest and rendered a decision it was forwarded to Pittsburgh for the approval or comment of that board. When it is returned here the board says it will "attempt to reconcile any suggested modification with its original decision."

At present the grievance board has no cases on file.

Campi Takes More Room

Campi has enlarged its quarters on the 23rd floor of the RKO Building in Rockefeller Center.

It's getting to be a habit with FOX

HIT AFTER HIT!
RECORD – BREAKER
AFTER
RECORD – BREAKER!

THE WORLD MOVES ON

with

MADELEINE CARROLL
FRANCHOT TONE

Produced by Winfield Sheehan
Directed by John Ford
Story and screen play
by Reginald Berkeley

FOX

Fox Met Plan Goes Over to Next Tuesday

(*Continued from page 1*)

given any value or standing in the corporation.

Judge Mack added, however, that it might be a matter of personal pride on the part of stockholders to see the company alive even if they didn't get anything out of it.

Upon suggestion by Archibald Palmer, representing bondholders whose holdings amount to $11,000 that the bondholders' protective committee return to his clients the bonds now on deposit so that he can institute action later, Judge Mack asked that William L. Bainton of Beekman, Bogue & Clark, counsel for the committee, consult with his group on the matter. The hearing was adjourned until next Tuesday morning when Judge Mack is expected to decide whether or not to permit reorganization under Section 77-B of the new bankruptcy laws. Bainton and Palmer are expected to confer on the withdrawal of the bonds from the committee and report back to Judge Mack Tuesday.

Palmer Overruled by Court

During the hearing Palmer attacked the method by which the stockholders had elected new officers and then had petitioned for a reorganization, but Judge Mack overruled practically all of Palmer's objections. Judge Mack was emphatic in disagreeing with Palmer's criticisms of the manner in which the election was held, telling Palmer that stockholders could hold an election at any time after an expired year.

Judge Mack expressed doubts as to the good faith of the reorganization plan and this was one of the reasons, he said, he had not decided whether to permit Fox Met to enter bankruptcy under 77-B of the new laws. The voting trust agreement was also attacked by Palmer. Judge Mack pointed out that in the event the company goes into bankruptcy, whether voluntarily or not, the present receivers will be continued as trustees and counsel will be the same.

During the course of Palmer's argument, he said he had filed suit Saturday in behalf of his clients to invalidate the depositing agreement of noteholders. He charged that the committee had been buying bonds not deposited and cornering the market. He insisted the depositing agreement was not in good faith and also that the voluntary petition filed by Fox Met stockholders was questionable.

Bainton argued that by not permitting securities to be withdrawn after deposit, the bondholders' committee knew whom they were representing.

Fox Midwest Plans To Classify Pictures

(*Continued from page 1*)

adult entertainment, it was disclosed today by Howard E. Jameyson, Wichita district manager, at the opening of the organization's two-day convention here.

Jameyson told the meeting that the answer to reform agitation lies in the classification of pictures, which will put parents on their own responsibility, whereas at present the responsibility rests on the shoulders of the exhibitor. Jameyson declared that, while this system is not infallible, it will at least demonstrate that theatres are sincerely attempting to solve the problem of child suitability.

Under the plan Fox Midwest proposes to reprint the lists of selected films issued by previewing bodies and distribute them to patrons and local organizations.

Elmer C. Rhoden, division manager, summed up the past year's record and told the circuit's managers what would be expected of them for the new season.

The meeting winds up tomorrow night with a banquet to which Kansas City district and branch managers have been invited.

Looking 'Em Over

"Side Streets"

(*First National*)

This tale of a wife battling to hold the love of a husband younger than herself is moving and sincere and ought to appeal especially to women at neighborhood theatres. The film owes much to Aline MacMahon, who turns in a tender performance as the wife, although the rest of the cast also does creditable work.

Miss MacMahon, the operator of a fur shop, befriends Paul Kelly, a sailor, when he is down on his luck. She takes him in and puts him to work in the shop. Love develops and the two marry. Kelly remains unfaithful to her until a baby arrives. The infant produces a change in him and is the link that holds him steadfast to Miss MacMahon. When the child dies he starts to drift away from his wife until he is on the point of running away with her pretty niece (Dorothy Tree). At the last moment remorse sends him back to his wife.

At the end Miss MacMahon finds some consolation for the death of her baby when the child borne by one of Kelly's inamoratas (Ann Dvorak) is left in her keeping by the mother so that she may be free to marry a chap who knows nothing of her misfortune. Incidentally, Kelly does not know he is the father of the infant.

Helen Lowell, Henry O'Neill, Mayo Methot, Marjorie Gateson, Renee Whitney, Lynn Browning, Dorothy Peterson and Lorena Layson are also in the cast. Alfred E. Green directed well. Running time, 63 minutes.

"House of Greed"

(*Amkino*)

While this Russian production from the Soyuzfilm studios is extremely easy for American audiences to follow, having an abundance of English sub-titles, its appeal cannot be more than limited, principally because it is too morbid, too heavy-handed to be rated as popular entertainment.

The film, laid in the years following the emancipation of the Russian serfs in 1861, is really a study of avarice. In simple terms it tells of a wealthy landowner whose ruling passion is greed—a greed which consumes him in the end. The man is a lecherous hypocrite, who hides his double face under the mask of religion. Even his nieces are not safe from his greed. It drives one of them to suicide and the other to death of a broken heart. The fadeout finds the miser, mad as a loon, fleeing into the night, presumably to his doom.

The film is an implied defence of the Soviet regime in that it lays bare the greed, injustice and deterioration of the land-owning system that prevailed under the Czars.

In the chief role V. R. Gardin offers a most impressive character study. He is well supported by T. Balach and N. Latonia as the nieces. The rest of the cast is capable. The film is atmospherically commendable but the photography is not always good. A. V. Ivanovsky directed. Running time, 75 minutes.

"Dames," tonight's premiere at the Strand, was reviewed on Aug. 3.

"Bulldog Drummond Strikes Back," this morning's opener at the Rivoli, was reviewed by wire from Hollywood on May 4.

"Cleopatra," tomorrow night's premiere at the Paramount, was reviewed by wire from Hollywood on July 24.

"Treasure Island," Friday morning's opener at the Capitol, was reviewed by wire from Hollywood on June 26.

"Cat's Paw," tomorrow morning's opener at the Radio City Music Hall, was reviewed by wire from Hollywood on May 28.

Lichtman-Reade in Deal

Al Lichtman and Walter Reade yesterday closed a product deal which puts all of the U. A. product in 11 Reade theatres. Each feature will have a week's run on a percentage basis.

Flash Review

The Defense Rests— . . . excellent program fare. It pleased a preview audience. . . .

This film will be reviewed in full in a later issue of Motion Picture Daily.

"Rothschild" Frisco Smash With $13,000

San Francisco, Aug. 14.—"House of Rothschild" grabbed a sensational $13,000 at the United Artists last week. This is the first big money since the settlement of the waterfront strike.

"Here Comes the Navy" had a fine $20,000, over par by $1,000, at the Warfield. "Whom the Gods Destroy" was average at $13,000 in the Golden Gate and "Baby, Take a Bow" was also even with $8,000 at the St. Francis.

Total first run business was $69,000. Average is $67,100.

Estimated takings:

Week Ending Aug. 6:

"WHOM THE GODS DESTROY" (Col.)
GOLDEN GATE—(2,800), 25c-35c-40c, 7 days. Stage: Band. **Gross:** $13,000. (Average, $13,000)

Week Ending Aug. 7:

"DICK TURPIN" (Gaumont)
"DANCING MAN" (Ind.)
FOX—(4,600), 10c-15c-25c, 7 days. **Gross:** $5,000. (Average, $7,000)

"STAMBOUL QUEST" (M-G-M)
"FRIENDS OF MR. SWEENEY" (War.)
PARAMOUNT—(2,670), 15c-35c-40c-65c, 7 days. **Gross:** $10,000. (Average, $12,000)

"BABY, TAKE A BOW" (Fox)
ST. FRANCIS—(1,400), 15c-25c-40c-65c, 7 days. **Gross:** $8,000. (Average, $8,000)

"HERE COMES THE NAVY" (Warners)
WARFIELD—(2,700), 25c-35c-55c-65c, 7 days. Stage: Vaudeville, band. **Gross:** $20,000 (Average, $19,000)

Week Ending Aug. 9:

"HOUSE OF ROTHSCHILD" (U. A.)
UNITED ARTISTS—(1,200), 15c-35c-55c, 7 days. **Gross:** $13,000. (Average, $8,000)

"My Love" on Dual Leads in Oklahoma

Oklahoma City, Aug. 14. — dual consisting of "Great Flirtation" and "I Give My Love" was the big box-office noise here last week with a take of $3,700 at the Liberty which went over par by $1,700.

"Circus Clown" was another strong attraction at the Midwest with $4,700. Total first run business was $14,900. Average is $13,500.

Estimated takings for the week ending Aug. 11:

"SHE LEARNED ABOUT SAILORS" (Fox)
CAPITOL—(1,200), 10c-20c-26c-36c-40c, 7 days. **Gross:** $2,200. (Average, $2,500)

"GRAND CANARY" (Fox)
CRITERION—(1,700), 10c-25c-36c-41c-55c, 7 days. **Gross:** $4,300. (Average, $5,000)

"CIRCUS CLOWN" (First National)
MIDWEST — (1,500), 10c-26c-36c-55c, 7 days. **Gross:** $4,700. (Average, $4,000)

"GREAT FLIRTATION" (Para.)—4 days.
"I GIVE MY LOVE" (Univ.)—3 days.
LIBERTY—(1,500), 10c-36c, 7 days. Stage show. **Gross:** $3,700. (Average, $2,000)

Hill's Will Probated

Los Angeles, Aug. 14.—Frances Marion and her two children by her marriage to Fred Thompson each will receive one-seventh of the estate of George W. Hill, the scenarist's former husband, it was revealed today when the director's will was filed for probate. The estate is estimated at $150,000.

Zukor on Coast Today

Hollywood, Aug. 14.—Adolph Zukor arrives here tomorrow and will devote most of his interests to production at Paramount.

The Leading Daily Newspaper of the Motion Picture Industry

MOTION PICTURE DAILY

Alert, Intelligent and Faithful Service to the Industry in All Branches

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Both Schenck, Zanuck Report Gains Abroad

"Marvelous" in England, Declares Former

Conditions abroad are improving, according to separate and individual statements made yesterday by Joseph M. Schenck and Darryl F. Zanuck upon their return from Europe.

Schenck stated business in England is "marvelous and everyone is going to see pictures." In France, he said, theatres are doing a good business, but not as much as in England, since the public there doesn't go as often to films as the English.

United Artists does not intend to produce abroad, Schenck added, adding that Alexander Korda will make six and British & Dominion eight for U. A. next season. Last year Korda

(*Continued on page 6*)

Barthelmess-Camp Talking Film Deal

Negotiations are under way between Richard Barthelmess and Walter Camp whereby the star will make a series of pictures for Inspiration. Barthelmess made 18 films for Inspiration before he went with First National, the first being "Tol'able David." The star is disappointed in the last three pictures he has made.

Just how many pictures he will make a year depends on stories he can secure. Barthelmess will choose his

(*Continued on page 8*)

Wisconsin Circuit Expands Operation

MILWAUKEE, Aug. 15.—Additional acquisitions by Wisconsin Amusement Enterprises, Inc., on operating agreements include the Paradise and Allis in West Allis; Fox and Strand in Marinette; the Lloyd in Menominee;

(*Continued on page 8*)

The Lone Wolf

Mobbed by autograph hunters at the pier yesterday after the *Rex* docked, customs guards had to surround Douglas Fairbanks to keep off the crowd.

One of the guards took advantage of his position. He quietly asked the star for his signature and was the only one to get it.

M-G-M, U. A. Interested with Consolidated in London "Lab"

London, Aug. 15.—M-G-M and United Artists are interested with Consolidated in the plan for the construction of a new laboratory plant here to handle pictures made by the two American companies. Ben Goetz, who arrives Friday on the *Paris*, will make a survey of the possibilities and then will report back to the United States, where he will confer with the heads of the three companies.

M-G-M is slated to start its own production unit here within the next few months. United Artists has Alexander Korda for six and British & Dominion for eight next season.

Dual Billing Talks Go on In St. Louis

ST. LOUIS, Aug. 15.—Dual bill elimination continues to be the subject of discussion between Fred Wehrenberg, M.P.T.O. head; Nelson Cunliff, head of the St. Louis Amusement Co., and F. & M., but with Warners out of the talks little hope is seen for a citywide agreement.

Warners intend to open the Shubert-Rialto on Aug. 18 with "Here Comes the Navy" and "Ladies Should Listen," and it is understood that the Orpheum will be reopened about Sept. 1. Both houses are out of the downtown sector and it is understood Warners take the stand duals are nec-

(*Continued on page 6*)

See No Handicaps From Silver Order

Nationalization of silver by Presidential order is not expected to affect the manufacture of film. Under the terms of the order holders of silver for industrial purposes are limited to 500 ounces, but it is expected that

(*Continued on page 8*)

Complaints on Cancellations Heard in K.C.

KANSAS CITY, Aug. 15.—Complaints are still forthcoming from exhibitors that they are finding it difficult to secure cancellations on moral grounds, but exchange managers uniformly insist they are granting cancellations where protests are "bona fide."

Three major companies report no requests at all. These are Fox, RKO and Warners. The Fox exchange reports only one of its features, "George White's Scandals," on the Legion of Decency list and says this has played about every theatre in the territory.

Cancellation requests are coming in the main from smaller towns where

(*Continued on page 7*)

Deadline for Code Assents Is Passed

Midnight last night was the deadline for sending in new code assents. All letters with compliances and assessments must be postmarked as of midnight.

The same deadline prevailed for

(*Continued on page 7*)

Industry for Drive; Makes Hays Real 'Czar'—Cochrane

Many producers welcome the clean film drive, declares R. H. Cochrane, executive vice-president of Universal, because its result is to make Will H. Hays a czar in fact as well as in name.

Responsibility for what appears in pictures will be placed directly upon him, Cochrane says in a signed article in the N. Y. *World-Telegram* titled "The Truth About 'Czar' Will Hays."

"If Mr. Hays does not exercise this power, the cheap publicity-seeking critics who thrive on raising hell with Hays will be justified," wrote Cochrane. "If he does exercise it, with the pledged backing of his board, the knockers will be hushed."

Answering recent demands that Hays be asked to resign, Cochrane wrote: "His resignation would not be

(*Continued on page 6*)

Indies to Ask Campi Aid on Morals Code

Object to Circuit Bans On Unsealed Films

HOLLYWOOD, Aug. 15.—Independents intend to appeal to Campi next week to set up a morals code and proper enforcement machinery, declares W. Ray Johnston, head of Monogram, who is regarded as spokesman for all the independents.

Barring of pictures lacking Joseph I. Breen's purity seal from circuit houses is an unfair trade practice, Johnston asserts.

His statements were intended to end the general impression here that independent producers have about decided to submit their product to Breen.

"We thought we had a bit of unfair competition on our hands," Johnston said, "when clearance and zoning

(*Continued on page 7*)

First Outside Code Approval to Powers

First certificate of compliance with Production Code Administration standards issued to a producer not a member of the Hays association goes to P. A. Powers, as producer, and "Aladdin and His Wonderful Lamp," an animated cartoon, as the picture.

The Hays office, at the same time, stressed the point that the approval, Certificate No. 154, was in conformity with the "association's purpose to afford all producers, whether or not members, the opportunity to use the facilities which the association has developed to help assure the highest standards of picture production."

Warner Deal on Fox Product About Set

Signatures are poised over an agreement by which Warner theatres, except those in New York which confine themselves to Warner-First National

(*Continued on page 8*)

N. Y. Passes West

"Belle of the Nineties," Mae West picture revamped under the strengthened Production Code Administration, has been passed by the New York censor board without a deletion, declared Paramount yesterday. It is set for September release.

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Bronx Union Clash Brings Out Police

Bronx houses were being guarded by police yesterday following clashes between rival factions of operators' unions which resulted in a near-riot, called out emergency squads and resulted in the arrest of four men.

Demonstrations at Daly Ave. and E. 180th St. precipitated the trouble. Members of Local 306 gathered to discuss strife with members of Amalgamated M. P. Operators' Union when their opponents gathered a block away.

Police set up a barrier between the two groups, but the more militant demonstrators edged toward each other and the fight started, with 350 men and women exchanging blows.

The police detail, too small to cope with the situation, called for reserves and the disturbance was ended when Harry Frank, Joseph Morrelle, Saul Lasky and Albert Wagner were arrested for disorderly conduct.

Reade Gets Fox Lineup

Walter Reade has signed for the entire Fox lineup for his 39 houses in New York and New Jersey. The deal includes features and shorts.

Sign Up Anita Louise

Hollywood, Aug. 15.—Warners and Anita Louise have finally agreed on a long-term contract. The actress has one more picture to make for Fox.

"Rothschild" Pulls $106,726, 4 Weeks

"House of Rothschild" ran up a total gross of $106,726 in three weeks and six days at the Rivoli. Up to Tuesday night, the sixth day of the fourth week, it was still good for $18,656, more than half the first week take of $33,820.

The week by week tabulation follows:

Week Ending	*Gross*
July 25	$33,820
August 1	29,250
August 8	25,000
August 14, 6 days	18,656
	$106,726

New L. A. Unit Seen As Blow to I. T. O.

Los Angeles, Aug 15.—That the formation of Associated Exhibitors, Inc., of Los Angeles is likely to sound the death knell of the I. T. O. of Southern California is the opinion expressed in exhibitor circles on the coast. The new group is the result of a breach in the ranks of the I.T.O.

Officers of Associated were officers of the older organization. Ben Berinstein is president; Harry H. Hicks, vice-president; Russell Rogers, secretary, and Arnold Shank, treasurer.

Stan Laurel Injured

Hollywood, Aug. 15.—Stan Laurel tripped in a scene with Oliver Hardy yesterday and so injured his leg he will be unable to continue work on Hal Roach's "Babes in Toyland" for at least two weeks. The accident has caused a halt in production until Laurel's recovery.

De Sylva Starts Soon

Hollywood, Aug. 15.—B. G. De Sylva, who recently signed a new contract with Fox, soon starts his first musical under the agreement. He will write, cast and supervise his own pictures.

The studio has re-signed Sam Hellman, writer.

Para. Seeks Tracy

Hollywood, Aug. 15.—Paramount is negotiating with Fox for the loan of Spencer Tracy for two pictures.

The company has given a long-term contract to Loraine Bridges, former singer from Oklahoma. Her first assignment is "Code of the West."

Burr Plans Features

Hollywood, Aug. 15.—C. C. Burr, former producer for Educational, has established headquarters at the Sennett Studios where he is planning to produce feature productions for the independent market.

Vancouver "Arrest" Greets Fitzgibbons

Vancouver, Aug. 15.—J. J. Fitzgibbons of Famous Players Canadian was "arrested" as he stepped off the train here on its arrival from Montreal. Two city detectives booked him and his companions, R. W. Bolstad, comptroller of the company, and Ben Geldsaler, head of the booking department, on charges of conspiracy laid by Laurence Bearg, manager of the B. C. Division, and Frank Gow. The B. C. men charged that the three Montrealers were masquerading as motion picture men.

After Fitzgibbons and friends had been properly "pinched," Bearg brought up the Vancouver police chief, who "pardoned" the men, who are here for the convention of B. C. Famous Players theatre managers which opened yesterday. Everyone seemed to enjoy the hoax, including the "prisoners."

The eastern executives were then carried off to the yacht *Moonlight Maid*, which left for a week-end cruise in the Gulf of Georgia with a passenger list of 22 theatre men.

Lincoln Legalizes Sunday Film Shows

Lincoln, Neb., Aug. 15.—Sunday shows have been legalized here by the surprising plurality of two to one in a special election. The proposition had been beaten three times in the last three years.

Would Hit Film Men

Albany, Aug. 15.—Film men, along with others in general industry, face an additional income tax levy of one per cent on personal incomes. The Senate Finance Committee, controlled by the Democratic party now in power, has reported favorably on such an impost, designed to raise $14,000,000 on incomes above the $1,000 exemption for single persons and $2,500 for married individuals.

Paul Lukas Is Sued

Hollywood, Aug. 15.—Paul Lukas has been made defendant in a suit for about $5,025 brought by a local law firm in behalf of Ben Blumenthal, Budapest theatrical man, and the Theatre Betriebs of Hungary. It is claimed that Lukas borrowed 207,772,000 crowns from them on notes and paid back 672,000 crowns.

A. T. & T. Votes Dividend

A quarterly dividend of $2.25 a share totalling $42,000,000 for the 18,662,275 shares outstanding was voted yesterday by the board of directors. It is payable Oct. 15 to stockholders of record Sept. 15.

Many Unchanged on Big Board

	High	Low	Close	Net Change	Sales
Consolidated Film Industries	2¾	2⅝	2⅝	.....	400
Consolidated Film Industries, pfd	13⅛	13	13⅛	+ ¼	200
Eastman Kodak	98⅛	98⅛	98⅛	+ ⅛	100
Loew's, Inc.	27¼	26	26¾	+ ⅜	2,700
Loew's, Inc., pfd	90¼	90¼	90¼	+ ¼	100
Paramount Publix, cts	3¼	3	3⅛	.....	1,300
Pathe Exchange	1¼	1⅛	1¼	.....	800
Pathe Exchange "A"	14	13⅞	14	.....	300
RKO	2⅛	2⅛	2⅛	.....	200
Warner Bros.	4⅛	4	4⅛	+ ⅛	900

Warner Bonds Advance ¼

	High	Low	Close	Net Change	Sales
Loew's 6s '41, ww deb rights	100	100	100	.....	1
Warner Bros. 6s '39, wd	53	52¾	53	+ ¼	6

◀ Purely Personal ▶

Joe Brandt, Sam Spring, Eddie Dowling, Jules Levy, Colvin Brown, Walter Eberhardt, Bob Wolff, Charlie Moses, Abe Schneider, Eddie Golden, Irving Lesser, Charlie Giegerich, Pat Powers, Charlie Barrell, James A. Fitzpatrick, Jimmy Cron and Johnny Walker were at the Tavern around lunch time yesterday.

Robert Montgomery, Harry Thomas, Stuart Webb, C. Poole, Austin Keough, Nathan Yamins, Willard S. McKay, Louis Nizer, John C. Flinn, Jack Shapiro, Hal Hode, Dave Loew, Howard Dietz and Sam Rinzler lunched at the M. P. Club yesterday.

Harvey Day, special representative for Terry-Toons, and William Clark, Educational sales manager, left yesterday for Dallas, Kansas City and other points through the midwest.

Hyman J. Radler, until recently with M-G-M, will marry Fritzi M. Pomerantz on Sept. 1. Ceremony takes place at the Chateau D'Or in Brooklyn.

Mollie B. Steinberg, of Eureka Prod., left yesterday for Washington with a print of "Courage" for a screening at the Italian Embassy.

Joan Lowell has gone to Boston for a week of personal appearances with her picture, "Adventure Girl," at the Boston Theatre.

Janet Gaynor, Gina Malo, Cole Porter and Dwight Deere Wiman return today from Europe on the *Ile de France.*

Milton Weiss and Charles Cohen of the M-G-M publicity department leave on vacation Monday.

Tony Muto is after bass. He figures he'll get them in Maine and that's where he is going next week.

Dave Epstein, Hollywood agent, is en route to the coast following a trip to London.

Harold Lloyd leaves for the coast in three weeks.

Medicine Shows a Worry

Kansas City, Aug. 15.—Competition from medicine shows is disturbing small town exhibitors in Kansas and Missouri this summer. Both states are said to have a law requiring medicine shows to pay a fee to the county of $10 a day, and in some instances the exhibitors check up to determine if the law is complied with.

Hunt for Mrs. Janney

Police here have been asked to help locate Mrs. Nathan Janney and her son, Leon Janney, former child actor, to inform them of the death of Mrs. Janney's divorced husband in an automobile accident at Atascadero, Cal.

Moskowitz Sails Soon

Harry Moskowitz, who has been surveying theatre conditions in India and Australia for Loew's, sails from Naples for the United States on the *Conte di Savoia* on Aug. 22. He also witnessed the opening of Loew's new theatre in Melbourne.

AGAIN—WARNER BROS. *Cover* THE COUNTRY!

Front covers of all leading fan magazines for September monopolized by Warner Bros. stars! . . . Five million of hese full-color star portraits on nation-wide display now! Making every news-tand in the country a 24-hour sheet for

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DAMES—Year's record shattered in first week-end at Atlantic City world premiere!*

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DESIRABLE—"An entertainment honey . . . triumph for Jean Muir."—Variety Daily*

DRAGON MURDER CASE "A cinch to satisfy."—Variety Daily°

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WHAT IS THE AUDIENCE DOING ALL THAT TIME?

AUDIENCE! . . . *all the time!* . . . that's why BEN HECHT and CHARLES MacARTHUR are known as the *"Greatest Writing Team in Motion Pictures!"*

They started something

BEN HECHT AND CHARLES MacARTHUR

. . . authors and collaborators on such successes as "UNDERWORLD". "FRONT PAGE", "SCARFACE" "RASPUTIN", "TWENTIETH CENTURY", "VIVA VILLA!" . . . launch their careers as producers and directors with "audience reaction" as their first and foremost consideration.

LASTING success in any endeavor is not to be achieved unless built on a foundation that is fundamental and basic. When **BEN HECHT and CHARLES MacARTHUR** started work on **"CRIME WITHOUT PASSION"**, ***they started more than a motion picture!*** They started to establish—once and for all—that revolutionary ideas are more important to the box-office than lukewarm traditions . . . and that real story values and naturalness of characterization are more vital than names that scintillate on the marquee and lack lustre in portrayals on the screen. HECHT and MacARTHUR started—in brief—on the assumption that unless audiences are vitally absorbed and interested in what's going on—***all the time*** — it can't be ***real entertainment!***

In **"CRIME WITHOUT PASSION"** Ben Hecht and Charles MacArthur have crystallized their ideas with startlingly dramatic results. They have produced an intensely absorbing and entertaining picture guaranteed to tear the heart out of audiences as the action unfolds on the screen. Seldom has so terribly fascinating a character been conceived as their central figure of the criminal lawyer who literally took women's souls apart to satisfy his insane ego. **Seldom has a picture maintained so startling a dramatic tempo from start to finish. "CRIME WITHOUT PASSION"** ***is box-office!*** It is told with honesty, portrayed with virility, and directed with a real sense of dramatic values and human understanding.

• • • with Stirring Melodrama!

"CRIME WITHOUT PASSION"

A Ben Hecht-Charles MacArthur Picture with

CLAUDE RAINS • WHITNEY BOURNE • MARGO

Written, directed and produced by Ben Hecht and Charles MacArthur

Lee Garmes, Photographer and Associate Director A Paramount Release

. . . and they finished it!

Read What the Critics Say:

Hollywood Reporter, July 28th:

"A stirring melodrama and a darned swell piece of entertainment . . . A picture that has sufficient creeps to send any audience out talking . . . Hit of the picture is MARGO . . . she comes through with an astonishing performance." —*Billy Wilkerson*

Screen Book, October: "At last a picture of a different sort . . . opens with a flash and whips along to a furious climax . . . Packed with thrills and suspense."

Photoplay, November: "Expertly handled. Good entertainment for those who appreciate a highly dramatic story."

"A superlative piece of craftsmanship . . . is as refreshing as it is a tribute to Mr. Hecht and Mr. MacArthur." —*Pare Lorentz*

All of which tends to prove that HECHT and MACARTHUR not only ***started something*** with "CRIME WITHOUT PASSION" . . . ***but they finished it*** in a way to meet with the approval of all audience-wise showmen who have seen it.

Both Schenck, Zanuck Report Gains Abroad

(Continued from page 1)

made only two. Neither does U. A. intend to acquire theatres abroad at the present time, Schenck stated. The company already has the London Pavilion.

Asked about his forthcoming marriage to Merle Oberon, Schenck said that when his fiancee arrives in the United States later in the year a wedding date will be set. Miss Oberon is to appear in a U. A. picture to be made in Hollywood.

Zanuck found conditions abroad are booming. "We welcome heartily English competition. Our pictures are successful in England and their product should be successful here," he said. "England is the salvation of our industry and we welcome their competition."

Discussing the attitude of England toward the decency campaign, Zanuck said Britishers think it "a big joke, just like prohibition." They want good pictures, he added.

Set to Exchange Talent

Arrangements have been completed between Zanuck and Korda for an exchange of talent. Zanuck does not intend to increase his program, but stated Douglas Fairbanks will appear in one of the 10 which 20th Century will make for 1934-35. George Arliss in "Cardinal Richelieu" will be another. Stories for nine of the 10 already have been bought, Zanuck said.

On the same boat was Fairbanks who said he would leave by plane today for Chicago and from there go to Denver to attend the funeral of his sister-in-law. From Denver he will go to the coast. The star has been conferring with Zanuck on the picture he will make for 20th Century. Fairbanks stated no story has been set. He will also make a picture in China.

Schenck, Zanuck and Howard Smith, story editor for 20th Century, leave for the coast tomorrow.

Nicholas M. and Mrs. Schenck, Al Lichtman, Joseph and Charles Moskowitz, Dennis F. O'Brien, Thomas Mulrooney, Richard Barthelmess, Harold Lloyd, Smith, Hal Horne, Monroe Greenthal and William P. Phillips were at the pier to greet the homecomers.

Four Appeals Given Committee Hearings

Four appeals were heard yesterday by a code committee consisting of Nathan Yamins, chairman; Cresson Smith and J. Louis Geller. The appeals heard were: Rex Theatre Corp., Nokomis Theatres, Inc., and International Amusement Co., of Denver, against Charles Kreiling on reduced admissions; the same complainants against William Fox Isis Investment Co. and Associated Theatres, Inc., on reduced admissions; the same complainants against Amusement Enterprises, Inc., for the same reason; Aetna Amusement Enterprises, Inc., against Maine and New Hampshire Theatres Co., on overbuying.

U. A. Notables in from Europe

Darryl F. Zanuck, vice-president and production chief of 20th Century; Joseph M. Schenck, president of 20th Century and United Artists, and Douglas Fairbanks, star of "The Private Life of Don Juan," a London Films production released through U. A., upon their return from abroad on the Rex yesterday.

Industry for Drive; Makes Hays Real 'Czar'—Cochrane

(Continued from page 1)

accepted if he presented it, not even if he urged its acceptance."

Cochrane expresses the opinion that the industry owes a debt of gratitude to Hays and "so does the public."

The article continues:

"In 12 years, with no weapon except persuasion, his efforts were not 100 per cent perfect, but they worked wonders nevertheless. They stopped thousands of movie 'shots' and dialogue with which short-sighted producers were willing to take a chance for the sake of box office returns.

Sees Hays Unjustly Criticized

"Little of this was ever made public. During all of these years Mr. Hays has submitted patiently and without rancor to the role of target for the shafts of every cheap publicity seeker on the ragged fringe of the industry who felt that the best way to keep his job was to 'raise hell with Hays.' For years he has been urged by the finest men in the industry to fight back and to show up the selfish animus behind most of these attacks. This he has consistently refused to do. I do not know whether I admire him for his tolerance or whether I am impatient with him because of it.

"The attack on the movies by the various churches is welcomed by many producers (of which I am one) because it has served to strengthen Hays' hand and tended to make him a czar in fact instead of merely in newspaper headlines. It would be impossible to endow Mr. Hays with absolute authority, because he would not accept it.

"He always has maintained that no individual is enough of a superman to decree, alone and unaided, what other individuals should or should not be permitted to see or hear. But as a direct result of the church drive, part of which was amply justified and part of which was plainly bigoted, the association has now given Mr. Hays power to attain the ends toward which he has long worked. These are no new ends. He has striven for them constantly.

"Through the organization for self-regulation which has been set up there is real power of yes or no. That organization can and will kill any picture which does not live up to the standards of good taste. At last Hays has something more effective as a weapon. Yesterday he could only seek to persuade. Today he can demand. Why? Because, very recently, for the first time, the producers who are members of the association passed resolutions abolishing the jury of three producers on the coast, to which an appeal formerly was permitted; gave the code enforcement machinery greater authority, and assured Mr. Hays that they would stand absolutely by all decisions of this body. Today if any producer in the association violates the letter or the spirit of any decision that producer is subjected to a fine of $25,000."

Hays Job Report Is Laugh for Johnson

WASHINGTON, Aug. 15.—Reports from the coast that he would succeed Will H. Hays as the "Mussolini of the film industry" today elicited from Recovery Administrator Hugh S. Johnson a snort of laughter and a refusal to comment because there were "too many ladies present."

Johnson was one of a number of men named by a paper on the coast as a successor to Hays.

But for a chance question by a newspaper man, it is probable Johnson would never again have thought of the famous salary investigation.

Asked "What about it?" Johnson looked blank and confessed he knew little or nothing of recent developments. A lengthy report, with recommendations for a committee investigation of the things he had investigated, was prepared last month by Division Administrator Sol A. Rosenblatt.

Dual Billing Talks Go on In St. Louis

(Continued from page 1)

essary because of the superior locations of other first runs.

At present Fanchon & Marco is day and dating "Handy Andy" at the Ambassador and Fox, and the understanding is that Harold Lloyd's "The Cat's Paw" will be handled in the same way, with "Of Human Bondage" to follow. The Missouri is to be opened Friday on a dual basis with "One More River" and "The Crime of Helen Stanley."

F. & M. will reopen the St. Louis about Sept. 2, with the Grand Central to follow. With five houses to book, product problems are acute, and the impression prevails that the company would like to see the dual problem settled as soon as possible.

DeMille Shies Off Morality in Talks

Cecil B. DeMille is shying clear of discussing the clean film drive or the new production code machinery on his current trip about the country.

"I'm not on this trip to discuss screen morality or censorship," he said upon arrival here. "I've gone through several reform waves and they have never concerned me. You see, I consider myself an artist making motion pictures. My productions have never had censor trouble and so I am not the one to talk about the subject.

"Art must be true," he says. "It must be a mirror of life. In being true, art doesn't need to offend good taste. Nothing is so horrible as vulgarity—or so unnecessary."

On his trip across the country he has spoken at Denver, Kansas City and Wichita. Yesterday he spoke at Teachers' College, Columbia University. On Aug. 20 he will speak at the University Club, Boston; Aug. 22, University Club, Philadelphia; Aug. 23, Press Club, Washington; Aug. 28, Better Films Council, Chicago; Aug. 29, Board of Review, Atlanta; Sept. 4, Parent-Teachers' Ass'n., Dallas. He will speak later in Cleveland, Detroit and New Orleans.

In September he will start "The Crusade." He is scheduled to appear at the opening of "Cleopatra" tonight at the Paramount.

Campi Legal Group Probes Sales Pacts

Clauses in new sales contracts were studied yesterday by the Campi legal committee, comprising Austin Keough, Nathan Yamins and Willard McKay. A report on contracts will be given to Campi at its next session, Aug. 23.

Campi has on hand a letter from the I.E.P.A., Philadelphia independent exhibitor unit, which charges code violations in new contracts.

Defer ITOA Election

Election of a successor to Louis F. Blumenthal as chairman of the board of the I. T. O. A. was not held yesterday, due to the absence of Harry Brandt, who is now in Saratoga.

Complaints on Cancellations Heard in K.C.

(*Continued from page* 1)

the religious objections are most effective. Some, however, are from Kansas City neighborhood houses.

Exchange managers all say they insist on proof that the protest is "bona fide."

At United Artists, it was said each request is given careful consideration on its own merits and that it must be accompanied by a written protest from "some one in authority." RKO "will be glad" to cancel any picture to which patrons genuinely object, it was stated as that company's policy. Whether cancellations are outright or whether substitutions are made depends on the number of pictures the exhibitor has bought, rentals and other contract considerations, according to branch managers.

10 Cancellations by M-G-M

M-G-M has made ten "morality" cancellations, it was learned. E. S. Young of Kansas City has obtained cancellation of "Riptide" from that company. Universal has had two requests, Columbia has made one substitution and Paramount likewise has approved a few cancellations. United Artists has several requests under consideration.

Majestic, Consolidated and Midwest Film Distributors, Monogram franchise holder, report no requests. Managers of these exchanges asserted so-called independent product has not been subject to the "decency" boycott.

W. D. Fulton, a leading independent, charges "some distributors question bona fide protests" and refuse to make desired cancellations on the ground the exhibitors are taking advantage of the situation to evade playing certain pictures. Fulton asserted one genuine protest questioned by an exchange manager was a letter signed by three priests in the neighborhood of his Southtown Theatre protesting against two films.

Capital Men Query Hays on Canceling

WASHINGTON, Aug. 15.—Washington film reformers have asked Will H. Hays whether the code, producers or exhibitors are responsible for bad pictures, it was revealed today by Wilbur Laroe, chairman of the committee on civil affairs of the District Federation of Churches.

"We are now informed that, even where there is organized local opposition to certain films, an exhibitor is limited, perhaps because of code provisions, to canceling one picture out of ten," he wrote. "As this is one of the matters now actively before our committee I shall appreciate your prompt advice as to the facts, with particular reference to the amount of choice which is open to the exhibitor.

"One of our members has made the point that it is hardly fair to the exhibitors to give the impression that they have a wide choice in the rejection of undesirable films if, as a matter of fact, their choice is narrowly restricted by code provisions or otherwise."

Code Authority Renders Decisions on 17 Appeals

Campi yesterday handed down 17 opinions after hearing appeals from local clearance and zoning and grievance boards. Of this number, eight are from the New York board.

In the case of the Luxor, New York, against Luxor-Bleeker Amusement Co., Campi ordered that the defendant could not interfere with the peaceful operation of the Luxor and that the complainant has the right to negotiate a new lease for the house before anyone can step in. Leon Rosenblatt's complaint that David Weinstock of the Rialto, Newark, was interfering with his operation of the Orpheum, Jersey City, was dismissed because of insufficient evidence.

Campi upheld the New York grievance board in dismissal of the complaint filed by Wallack's Theater against the Liberty, holding distributors could book product into the Liberty after Wallack's had closed. The complainant wanted the product shifted to the Selwyn.

Code Authority also affirmed dismissal by the local board of the overbuying complaint by the Gem and Majestic against the Lane, Empress, Vitagraph, Paramount, Fox, Universal and RKO.

Two decisions on reduced admission complaints filed by Loew's also were upheld. The charges were filed against the Marvin and Empire in Brooklyn.

Clearance relief granted the Grant Lee, Fort Lee, and Leonia, Leonia, N. J., were upheld. In both instances the exhibitors appealed because they believed the clearance was insufficient, but Campi refused to amend the decision of the local board.

Upholds Omaha Board

Omaha grievance board was upheld in the case of Ray Felker, Broadway, Council Bluffs, against Fox West Coast and Strand and Liberty, same city, on overbuying. Omaha ruled no violation had been proved.

Cistrand Theatres, Ltd., Garfield and Granada, Alhambra, Calif. complained against Alhambra Amusement Corp., the Alhambra and El Rey, same city, charging prices were lowered through exchange of newspaper coupons for tickets. The Los Angeles grievance board held the respondents had violated the code. Campi held the method constituted a method to lower admission prices. Determination of the Los Angeles grievance board which directed an accounting of passes used and these be paid to distributors whose pictures were played on percentage is reversed, however.

Practice of Airo-Vita, Inc., in running pictures in Swayne Field Ball Park, Toledo, was held unfair to established theatres and Cleveland distributors instructed to conform. The complaint originally came up before the Cleveland grievance board and was filed by Auburndale Theatre Co., operating the Avalon, East Side Amusement, operating the Westwood, Loew's Valentine and Adams Theatre, Inc., operating the Paramount and Princess, all in Toledo.

The open air show operated by L. M. Corcoran and/or Lakeside Park, Salem Road, Roanoke, Va., was adjudged a violation of the non-theatrical clause and Washington, D. C. distributors ordered not to serve the account. W. S. Wilder, operating the Grandin, Roanoke, filed the original complaint.

"Race Nights," as conducted by Theodore Charles, operating the Moone, Vincennes, Ind., was held a violation, the original complaint having been filed in Indianapolis by Pantheon Theatre Co., operating the Pantheon, same city. Campi's ruling was predicated on failure of the respondent to advertise that persons other than those purchasing admission tickets to the theatre were entitled to "Race Night" tickets.

E. B. McCurdy, operating the Columbia, Baltimore, complained of Leon Zeller, operating the Roy, before the Washington grievance board on free passes for children. Washington ruled a violation. Campi agreed, holding the method used by Zeller constituted a violation.

P. C. Osteen, operating the Carolina, Anderson, S. C., charged the Palmetto Amusement Co. operating the Strand, same city, with overbuying. Charlotte held the respondent had not done so. Campi, after investigation, determined the respondent had overbought by 70 pictures which would be more than sufficient to meet the complainant's needs. It ordered Charlotte to set the figure.

Campi upheld decisions of the Albany boards which held that the Crandell, Chatham, N. Y., could not get a reduction of the 14-day clearance now in force for the Playhouse and Park, Hudson; and that the premature advertising complaint filed by the Crandell against the same respondent be dismissed.

First Division in Buffalo was ordered to desist from booking pictures away from prior runs, following the complaint of Herbert A. Hoch, Buffalo, that he had bought the "Road to Ruin" first and it was played in another theatre before him.

Deadline for Code Assents Is Passed

(*Continued from page* 1)

complaints by producers and distributors on assessments.

WASHINGTON, Aug. 15.—Administration officials tonight watched with interest final returns of code assents on which midnight was the deadline. Although Washington was without information regarding the exact situation—the assents going to Code Authority in New York—it was understood the list of acceptors has been swelled by many hundreds.

Handbills in Kansas Stir New Code Issue

KANSAS CITY, Aug. 15.—Because the practice is held not to come within the scope of the code, the local grievance board will sit as a Local Industrial Adjustment Agency in hearing a complaint by Mrs. Gladys McArdle, Owl, Lebanon, Kan., that John Cretor, Downs, Downs, Kan., circulates handbills in her town. The towns are 20 miles apart.

The grievance board can find nothing in the code prohibiting such circularization but will be governed by general trade policy provisions stating the industry pledges itself to maintain high standards of advertising and publicity procedure.

Mrs. McArdle complains on the grounds pictures are dated into her theatre a day or two after the Downs, although priority of run is said not to be involved.

Campi Awaits Word On Code Cost Plan

Campi is awaiting official word from the NRA to go ahead and draft a new schedule of assessing major and independent producers and distributors $180,000 for the first year's code costs. A meeting of the code finance committee probably will be called Monday. On the committee are Harold S. Bareford, S. R. Kent, Nathan Yamins and Charles L. O'Reilly. Bareford is vacationing in Asbury Park and will return Monday.

Shmitkin on Cincy Board

CINCINNATI, Aug. 15.—Al Shmitkin, recently transferred here from Indianapolis as Warner-First National manager, has been appointed affiliated distributor member of the local grievance board. He replaces Maurice White, who resigned as Warner manager to enter exhibition.

Indies to Ask Campi Aid on Morals Code

(*Continued from page* 1)

boards stepped outside their powers in prohibiting duals, but now independent producers are apparently faced with a ban on their product by circuit houses, because they do not put on a seal which cannot be secured except through an organization composed only of major producers, whose interests are not those of the independents.

"Apparently the big fellows are being ill-advised again, for they seem to have forgotten a clause in the code, Article VII, Part I, dealing with right moral standards. For some unknown reason Campi has never set up a body to carry out the intent of this section of the code, but producers affiliated with the Hays organization evidently have instructed their associated theatres not to play pictures not bearing the purity seal.

To Present Resolution

"The independents will present to Campi at the meeting next week a resolution authorizing Code Authority to set up such a morals production code and an enforcement body as well as a second resolution making it an unfair trade practice for theatres or circuits of theatres to refuse to book a picture simply because it does not bear the Hays seal."

Johnston suggests that the present sealing of pictures is a move to enforce the independent producer and distributor to join the Hays organization.

Breen said any independent can have the seal provided his picture is clean. Only yesterday, it was pointed out, he certified "The Scarlet Letter," made by Darmour, one of the first independents to get a seal without placing his company under any obligation to the Hays office.

Article VII, Part I, to which Johnston refers, reads as follows: "Part I. The industry pledges its combined strength to maintain right moral standards in the production of motion pictures as a form of entertainment. To that end the industry pledges itself to and shall adhere to the regulations promulgated by and within the industry to assure the attainment of such purpose."

Johnston's proposal is "very interesting," said John Flinn, executive secretary of Code Authority, when it was called to his attention yesterday, "but of course there is nothing I can say about it at this time."

NRA Hears Wage Case

WILMINGTON, Aug. 15.—As a result of a complaint filed by the operators' union with the NRA charging that the Rialto, a non-union house, is not paying the code scale, the case has been heard by Charles J. Kurtz, sitting as a referee.

Postpone Cincy Session

CINCINNATI, Aug. 15.—This week's meeting of the local grievance board was postponed for two weeks. Two cases were on the docket, one of which was withdrawn. In the other case the respondent was ill.

Opening of "Dames" Draws Big Turnout

"Dames," the new Warner musical with Ruby Keeler and Dick Powell, opened at the Strand last night with stage, screen and radio celebrities on hand.

"Miss Busby Berkeley Girl," chosen from the dancing girls in the film; Phil Regan, former local policeman and now Warner featured player and the 12 leading contestants in the CBS contest to pick a leading lady for Dick Powell's autumn radio series were also in the audience.

Among those present were: Jeanne Aubert, Barbara Bennett and Morton Downey, Irving and Mrs. Berlin, Jules E. and Mrs. Brulatour, Katherine Brush, Jack Dempsey, Jerome Kern, Mrs. William Randolph Hearst, George S. Kaufman, Theodore Dreiser, S. Charles Einfeld, Robert Goldstein, P. H. Dent, Sol Gordon, L. H. Griffith, A. H. Blank, Gradwell Sears, A. W. Smith, Sam Sax, Joseph Bernhard and Sam Schneider.

Lobby activities and a description of the opening were broadcast over Station WINS.

Motion Picture Daily reviewed "Dames" in the Aug. 3 issue.

"Dames"-Philco Tieup

Warners has arranged a tieup with the Philco Radio Co. on "Dames." Three New York dailies and eight Jersey papers will carry Philco advertising plugging the film. A series of department store apparel displays have also been negotiated.

Barthelmess-Camp Talking Film Deal

(Continued from page 1)

own stories. He leaves in three weeks for the coast, taking his children back to school.

Indications are that a distribution deal may be worked out with United Artists. Barthelmess was at the pier yesterday to meet the *Rex* on which Joseph M. Schenck returned from Europe. Inspiration some time ago released two Dolores Del Rio pictures and "The White Sister" through U. A.

Wisconsin Circuit Expands Operation

(Continued from page 1)

the Rex in Oshkosh and the theatre in Menasha.

Gene Phalen will be resident manager of the West Allis houses, while Martin Thomas is slated to preside over the Marinette and Menominee theatres. The Rex in Oshkosh has been operated by Etta Weisner.

Charles Loewenberg, for several years advertising and publicity manager, will supervise the state houses, and Robert Frenzel, who recently joined the organization, will supervise suburban theatres.

Warner Deal on Fox Product About Set

(Continued from page 1)

product exclusively, will play Fox output.

The pact will run for three years and mark a resumption of dealings between the circuit and Fox after a lapse of one season during which Warners failed to make a deal with the distributor.

Looking 'Em Over

"The Defense Rests"

(Columbia)

Starring Jack Holt and featuring Jean Arthur and Nat Pendleton, this should prove to be excellent program fare. It pleased a preview audience at the Rialto. Jo Swerling's direction, from his own script, keeps the action moving at a fast and interesting pace.

Holt is cast as a criminal lawyer, of the William Fallon type, whose sensational manner of always winning his cases has placed him on the front pages of the country. Jean Arthur is his assistant. He is forced to take a kidnaping case because of his connection with gangsters and appears to have the case won when the mother of the kidnaped child kills herself in his office. Holt then turns evidence over to the district attorney that not only convicts his client but also brings about the arrest of all the other members of the gang.

Holt departs here from his usual sympathetic role and carries the picture with the aid of Miss Arthur, who turns in a fine performance. Pendleton's comedy is up to his usual standard. Running time, 62 minutes.

Show World Figures At Thomas Funeral

Many prominent in the show world turned out yesterday for the funeral of Augustus Thomas. The services were held at St. George's Protestant Episcopal Church, 207 E. 16th St. and were conducted by Dr. Karl Reiland, who was assisted by Dr. James H. Rice. Harry Burleigh, composer of "Deep River," sang.

Among those who attended were George M. Cohan, former Governor Alfred E. Smith, Gene Buck, Channing Pollock, William Gillette, Daniel Frohman, James J. Montague, Mr. and Mrs. Francis Wilson, Austin Strong, Brandon Tynan of the Catholic Actors' Guild, Samuel Forrest of the Jewish Actors' Guild, Percival Moore of the Episcopal Actors' Guild, Edward C. Carpenter of the Dramatic Guild of America and T. H. Druitt of the Lambs.

Tucker Is Cremated

The body of Melville E. A. Tucker, secretary, treasurer and director of Consolidated Associates; secretary-treasurer of Biograph Studios and Columbia Phonograph Co., and purchasing agent for Consolidated Film Industries, was cremated yesterday at the Fresh Pond Crematory in Maspeth, L. I.

Among the few present were his son and Harry M. Goetz. The body was borne to the crematory from the Universal Funeral Chapel, 597 Lexington Ave., where funeral services were held Tuesday night. The ashes will repose in the crematory until his widow decides upon their final disposal.

Gave 'Rasputin' Warning

If M-G-M had taken her advice and that of John and Lionel not to make "Rasputin and the Empress" because some of the characters in it were still alive, the producer would have been spared the libel litigation brought by Princess Irena Youssoupoff, it was said by Ethel Barrymore in an interview with Michel Mok of the *New York Post* on her 55th birthday yesterday.

Miss Barrymore and her brothers were in the cast.

Rogers May Present Fox Met Plan Today

Saul Rogers' request for permission to present a plan for reorganization of Fox Metropolitan Playhouses is slated to come before Federal Judge Julian W. Mack today. Rogers is representing A. C. Blumenthal.

Blumenthal yesterday told Motion Picture Daily he may not be ready to present his plan today because Judge Mack has not yet decided on the bankruptcy status of the circuit. Blumenthal stated the plan he has in mind is better than any so far presented. He would not disclose the group he is representing. Right now, he said, he is acting for himself.

In the Sick Bay

John D. Clark, general manager of distribution for Fox, is at Mountainside Hospital, Montclair, for observation. His condition is not reported serious.

Robert F. Sisk, director of advertising and publicity for RKO, was home yesterday with a recurrent attack of arthritis.

Cincy Houses Opening

Cincinnati, Aug. 15.—The RKO Grand, which closed several weeks ago after a season of vaudefilm, reopens Friday with "Their Big Moment" on a straight picture policy.

The RKO Capitol, shuttered early in the summer, will be relighted Sept. 1. "The World Moves On" is set in as the opener.

New Sound Device Out

A device which is said to permit broadcast sound to reach the ear from a wide angle with resultant increase in realism has been invented by Maximilian Weil, New York electro-acoustic consulting engineer. The invention is known as the "audio projector."

'Too Early'—Van Schmus

"Too early" to talk is the manner in which W. G. Van Schmus, direct representative of the Rockefellers at Radio City, yesterday described the status of the theatres' short-term leases which expire Sept. 1.

See No Handicaps From Silver Order

(Continued from page 1)

Eastman Kodak Co. and other film manufacturers who use immense quantities will be able to secure exemptions.

The principal immediate effect of the order is to require studios on the coast to turn in stocks recovered by electrolysis from used film.

Reports were current when the order went into effect that the studios had about $1,000,000 worth on hand, but inquiries developed the fact that the total was about half this. Studios make a profit on their holdings as the government is paying slightly more than 50 cents an ounce for the metal.

Approximately 1,000,000 feet of negative and 1,000,000,000 feet of positive are manufactured in this country annually, so limiting the holdings of manufacturers to 500 ounces is regarded as virtually impossible.

Radio News Buildup Is Aim of New Unit

Building up of radio news broadcasts without the aid of the American Newspaper Publishers' Ass'n. is the aim of a subsidiary just organized by Transradio Press Service, Inc. It is called Radio News Ass'n. Fifty stations are already taking the service and the aim is to line up 400 to 600 stations.

Under the proposed plan news will be gathered by correspondents and transmitted by teletype, telegraph and short wave broadcasts. Stations which cannot afford to pay for the service will be permitted to have some advertiser sponsor it.

At present news broadcasts are limited to two a day and to 300 words each on material furnished by the A.N.P.A.

Candidate in Kansas Wants Sunday Shows

Olathe, Kan., Aug. 15.—Sunday shows, banned by state law but permitted in some communities, were injected as an issue in the Kansas political campaign when Chauncey B. Little, Olathe attorney and candidate for the Democratic nomination for attorney general, came out in favor of seven-day operation.

The candidate maintains Sunday shows would do no harm so long as the state censor board performed its sworn duties and kept films clean.

Stanley Friedman Back

Stanley Friedman of Thomas & Friedman, attorneys for Warners, returned yesterday on the *Rex* from a seven weeks' vacation in England and Italy. Michael Curtiz, Warner director, and his wife Gladys Halloway, scenarist, who has completed the scenario of "Iron Duke" for Gaumont British and is now working on "Barnum" for U. A., were on the same boat.

Local 306 Signs Three

Local 306 has signed contracts with the DeLuxe, Fenway and Lido, the Bronx.

This is considered a victory for the new policy of Harlan Holmden, international officer, who recently took over Local 306.

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Industry

MOTION PICTURE DAILY

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Chadwick Sees Agreement on Purity Seals

Flies to Coast Hoping For Early Peace

Confident that differences between independent producers and the Hays office on the purity seal will be straightened out to the satisfaction of all, I. E. Chadwick left yesterday afternoon for the coast by plane to attend a meeting of his group today in Hollywood.

Chadwick has been here for about a week acting on behalf of independents against the dual penalty clause in clearance and zoning schedules. The fight was won last week when Campi

(Continued on page 11)

Johnston Refuses Breen Peace Offer

Hollywood, Aug. 16.—Joseph I. Breen held out the olive branch to the independent producers yesterday by suggesting that the facilities of his office were open for all who want to obtain purity seals, but W. Ray Johnston, head of Monogram, turned it aside.

The indies will have naught to do with the Hays office, Johnston reiterated. If there is going to be a morals

(Continued on page 11)

Griffith, Falls Will Take in 103 Houses

Within the next few months R. E. Griffith and Horace R. Falls of the Griffith Amusement Co., R. E. Griffith Theatres, Inc., and Consolidated Theatres, Inc., plan to increase the circuit from 97 to 103. The circuit operates in 50 towns in Oklahoma, Texas and New Mexico.

During the last two weeks, Griffith and Falls have opened the New Lindsay, Lubbock, Texas, 1,500 seats; New

(Continued on page 11)

IEPA, MPTO in Move For Harmony in Pa.

Philadelphia, Aug. 16.—Wreaths of peace hover over the heads of the Independent Exhibitors' Protective Ass'n and the M. P. T. O. of Eastern Pennsylvania, but nobody is admitting it. A preliminary meeting, looking toward a burial of the hatchet, has been held and a consolidation of the rival exhibitor units is anything but remote.

Reach Accord On 'Lab' Code; $16 Minimum

Makeup of Authority Is Being Worked Out

Washington, Aug. 16.—Agreement on the laboratory code was reached today after several days of conferences. Abandonment of the effort to establish minimum prices was decided upon after members of the industry were informed that an NRA office order gave the Administration full authority to deal with emergencies resulting from destructive price-cutting.

The code will probably include some provision to prevent cut-throat price competition and the industry

(Continued on page 6)

Des Moines Ban Put On All Free Shows

Des Moines, Aug. 16.—Free shows, declared to be widespread in this territory, have been ordered stopped by the grievance board.

The resolution read: "All distributors of motion pictures are ordered to cease and desist immediately from supplying to any person or persons or association film that is to be exhibited primarily for entertainment purposes, either indoors or outdoors, to the general public when admission is free."

The prohibition covers an area of 25 miles.

Tracy Off Comedy

Hollywood, Aug. 16.—Lee Tracy has agreed to quit trying to be funny with Baby LeRoy. Baby has his own ideas of comedy and they're not Tracy's.

Production has been held up since Tracy made a face at the baby last Saturday. Every time Tracy has looked at the child since, the baby has burst into tears.

Duals Ruling Called Aid to Little Fellow

Washington, Aug. 16.—Evidence of the protection afforded small enterprises under the film code is found in the decision of Code Authority, which prevents any discrimination against exhibitors playing double features, the National Recovery Administration declared today.

"The Milwaukee clearance and zoning board, one of the self governing units of Code Authority, had drafted a zoning schedule to penalize exhibitors playing double features," it was asserted. "The schedule proposed to defer the available date of a picture to be shown as part of a double feature bill, thus discriminating against theatres ordinarily in similar zones and which showed only single features.

"Independent producers and exhib-

(Continued on page 6)

Court Will Sign Fox Met Bankruptcy Order Today

Sale of any Fox Met. houses to Warners or any other bidder will be eliminated as a possibility today, it is believed, when Federal Judge Julian W. Mack signs an order putting the circuit into bankruptcy under the terms of the new Federal statute.

Under provisions of the new bankruptcy law there will be no foreclosure sale and a reorganization plan ultimately will be effected. Abel Carey Thomas, Warner attorney, recently intimated to the court that he would put in a bid for the 18 theatres in New Jersey, if and when, there is a foreclosure.

An order will be signed this morning by Federal Judge Julian W. Mack placing Fox Metropolitan Playhouses in bankruptcy under Section 77-B of the new bankruptcy laws. The motion will be entered in the judge's chambers with principal interests attending. Up to this time the circuit has been in equity receivership.

Irving Trust, receivers, will be appointed temporary trustee today and counsel for the receivers will be continued under the bankruptcy, Judge Mack indicated yesterday.

With the circuit going into bankruptcy, Judge Mack suggested that representatives of Fox Metropolitan,

(Continued on page 10)

Loew's Ready To Join Deal For Dual Ban

Awaits Move in Jersey, N. Y. Campaigns

Loew's is willing to drop duals in New York and New Jersey provided all other theatres eliminate twin bills, Charles C. Moskowitz states.

Both Allied of New Jersey and the I. T. O. A. are anxious to end twin programs, provided circuits will cooperate.

Moskowitz says he has not been approached by the New York independent group within the last few weeks, although Harry Brandt told his members that Loew's had been visited on the matter. Brandt also stated that a meeting of major circuits was to have been held last week to decide on eliminating duals, but

(Continued on page 10)

Mexico to Impose Film Import Duty

By JAMES LOCKHART

Mexico City, Aug. 16.—Film import duties on a pound basis are to be imposed immediately upon orders from President Rodriguez. The announced reason is for the purpose of encouraging Mexican production.

Unexposed negative will pay 13 cents per two and two-tenths pounds; unexposed positive up to 36 milimeters, $2 per two and two-tenth pounds; wider widths, from $3.60 to $4.68 on the same poundage basis; exposed

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Lloyd to Continue Single Film Deals

Harold Lloyd will continue to negotiate individual distribution deals for his pictures, he states. Although he hasn't given any thought to his next story, Lloyd said he could not tell at this time whether Fox would distribute his new film or not. Fox is handling "The Cat's Paw," which

(Continued on page 11)

Stanley Units Will Discuss Merger Here

Wilmington, Del., Aug. 16.—The Stanley Co. of America, Stanley-Fabian Corp. and Stanley-Crandall Co. of Washington, all three Delaware corporations, will hold special meetings in New York City, Aug. 23, to consider and vote for the adoption or

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Air Rate Cut Film Aid

CHICAGO, Aug. 16.—Distribution of films by air express is expected to be mildly affected by a slight saving per shipment under new rates put into effect yesterday by General Air Express and the air express division of Railway Express Agency.

The new tariff carries a flat minimum rate of 85 cents for shipments up to three quarters of a pound as compared to the recent rate of $1.25 and $1 per pound between any two cities and a former rate of $1.80.

"Dames" Starts Well

The Strand halted sale of tickets for "Dames" at 2 P. M. yesterday for 12 minutes due to a standout house. Warner executives late in the afternoon said the picture was running at a gait which meant a possible $8,000 to $9,000 on the first full day, minus extra after-midnight shows. Take on the preview evening, which was Wednesday, totaled $3,960.

Ohio Indies Join Allied

COLUMBUS, Aug. 16.—Independent Theatre Owners of Ohio has decided to affiliate with Allied. P. J. Wood, secretary, was instructed to wire Abram F. Myers to this effect.

Para., Newark, Closed

Adam Adams has closed the Paramount, Newark, for repairs. He will reopen the house Aug. 23 with "Cleopatra."

Fan Writers, Publicity Men Bury Hatchet

HOLLYWOOD, Aug. 16.—Diplomatic relations have been resumed between studio publicity heads and fan magazine writers. The writers get their interviews, but agree to eliminate anything regarded as false or salacious.

It all came about through a conference held at the Hays office. The magazine representatives arrived with fire in their eyes intending to battle the publicity men's ultimatum that all interviews would have to be submitted for approval. They went away in an amiable mood.

Acting with authority from their home offices, the writers pledged their individual words that they would endeavor to cleave to a policy of "clean, constructive and honest material."

That leaves the publicity men with nothing to do but take the clippings into the front office to show the boss how hard they are working.

In the Sick Bay

John D. Clark, Fox sales chief, who is in the Mountainside Hospital, Montclair, for observation, is down with bladder trouble. Original estimates that he would be out of his office only 10 days were scrapped yesterday. It may be longer.

E. T. ("Peck") Gomersall, western sales manager for Universal, who did a Prince of Wales in Central Park on July 30, is nicely bound up in a plaster cast at the Hospital for Joint Diseases. He's down for the count for perhaps as many as five weeks.

Leo Abrams, manager of the "Big U" exchange, who has had a three-month siege resulting from complications growing out of a hernia operation, is hobbling about with a cane. He's getting on.

Robert F. Sisk, Radio's advertising and publicity chief, continued on the incapacitated list yesterday. Arthritis.

Alicoate Sailing

Jack Alicoate, publisher and editor of *The Film Daily,* sails tomorrow on the *Paris* for the Continent, accompanied by Louis Nizer. Alicoate will check on foreign production, but goes principally for relaxation.

Talent Exchange to Include B-D, Natan

The plan under which talent will be exchanged between 20th Century and London Films has been extended by Darryl F. Zanuck, production head of the American company, who returned from abroad Wednesday, to include two other foreign production organizations, British and Dominions in England and Pathe-Natan in France.

Agreements with these two companies call for the signing in common with 20th Century of actors, directors and technicians. It is understood a number of exchanges of note have already been effected.

"U" Men Here on Deals

William Heineman, Pacific Coast division manager for Universal, is in town working with James R. Grainger, general manager of distribution, on FWC, Warner and Griffith Bros. circuit deals for next season.

Harry D. Graham, midwestern division manager, is another visitor. He is busy on deals with Fox Midwest and Joe Cooper. Both will be in New York several weeks.

May Drop Empire Union

With the contract expiring Sept. 1, Trio-Consolidated is understood considering dropping Empire State operators for another union. Empire has its men in 30 of the circuit's houses at present and unless circuit heads and union officials get together between now and Sept. 1 a new union will supplant Empire.

Goldwyn Picks Third

HOLLYWOOD, Aug. 16. — Samuel Goldwyn's third production of the season will be "Broken Soil," authored by Paul Green and Edwin Knopf. Anna Sten and Gary Cooper will be teamed in it. The film goes into production in a few weeks.

No Foreigns for Para.

No foreign pictures are being sold on Paramount's new lineup, the sales force limiting its selling to domestic made pictures by the company.

Improve Fox Brooklyn

Simon Fabian is sprucing up the Fox, Brooklyn, to the tune of $30,000. The house continues open during alterations.

Rising Trend on Big Board

	High	Low	Close	Net Change	Sales
Columbia Pictures, vtc	27¾	27⅜	27¾	.....	200
Consolidated Film Industries	2⅞	2⅝	2¾	+ ⅛	100
Consolidated Film Industries, pfd	13½	13½	13½	+ ⅜	300
Eastman Kodak	98¾	98¼	98¼	+ ⅛	100
Fox Film "A"	10⅛	10⅛	10⅛	.....	100
Loew's, Inc.	27¾	26⅞	27⅛	+ ⅞	2,400
Paramount Publix	3⅞	3⅛	3¼	+ ⅛	1,500
RKO	2⅛	2⅛	2⅛	+ ⅞	200
Warner Bros.	4¼	4	4¼	+ ⅛	2,200

Technicolor Off ¼ on Curb

	High	Low	Close	Net Change	Sales
Technicolor	12	12	12	— ¼	300

Warner Bonds Up One

	High	Low	Close	Net Change	Sales
General Theatre Equipment 6s '40	6⅜	6¼	6⅞	+ ⅛	2
General Theatre Equipment 6s '40, ctf	5½	5½	5½	.....	3
Loew's 6s '41, ww deb rights	100½	100½	100½	+ ½	4
Paramount Broadway 5½s '51	35¾	35¾	35¾	+ ⅝	1
Warner Bros. 6s '39, wd	54	53½	54	+1	6

◀ Purely Personal ▶

MICKEY MAYER is still in Yellowstone. PETE wants to stay in Russia for a couple of years. Daughter NORA is back in town with Mother LILLIE. That assembles part of the ARTHUR MAYER clan on home terrain once again.

HARRY GOLDSTEIN, Cleveland, Cincinnati and Pittsburgh district manager; PERCY BLOCK, Philadelphia and Washington district manager, and EARLE SWEIGERT, Philadelphia branch manager for Paramount, are in town for a couple of days on the Warner deal.

CHARLES CURRAN, ARTHUR JEFFREY and PHIL LAUFER of the Strand's publicity staff have left their typewriters to usher, take tickets and otherwise assist in front of the house.

PAT BARNES and the radio team of LEE SIMS and ILOMAY BAILEY are working in the third of Vitaphone's "Rambling 'Round Radio Row" series at the Brooklyn studio.

NATE BLUMBERG isn't sure, but he thinks his family, now in Yellowstone en route east from the coast, will be back one of these days. Doesn't know which.

GLENDA FARRELL has started back for the coast, now that she is completely recovered from her recent appendicitis operation. She is due there Monday.

MEYER WEISGAL, general director of "The Romance of a People," returns today on the *Berengaria* after conferences with MAX REINHARDT in Europe.

ROBERT C. BRUCE is back from a two months' trip to Europe during which he photographed scenes for the "Musical Moods" series in Ireland and Italy.

EVELYN LAYE, English actress, arrives today on the *Berengaria.* After a short stay here she will go to the coast to start work for M-G-M.

BEN R. KATZ, advertising and publicity manager for Warners in the Milwaukee zone, is spending his vacation in New York.

LOUIS WEBER, attorney for Skouras Theatre Corp., makes nightly trips to various Skouras houses. He takes his wife with him.

RUTH WEISBERG drops secretarial duties for CHARLIE EINFELD today and leaves these shores on a vacation cruise.

LOU METZGER is smiling these days. He has three major offers for "Thine Is My Heart," formerly "Blossom time."

PERCY PHILLIPSON of General Register sails for London on Sept. 26. He likes New York, but London better.

RALPH S. HARRIS of Hughes, Shurman & Dwight, attorneys for Fox West Coast, has gone to the coast.

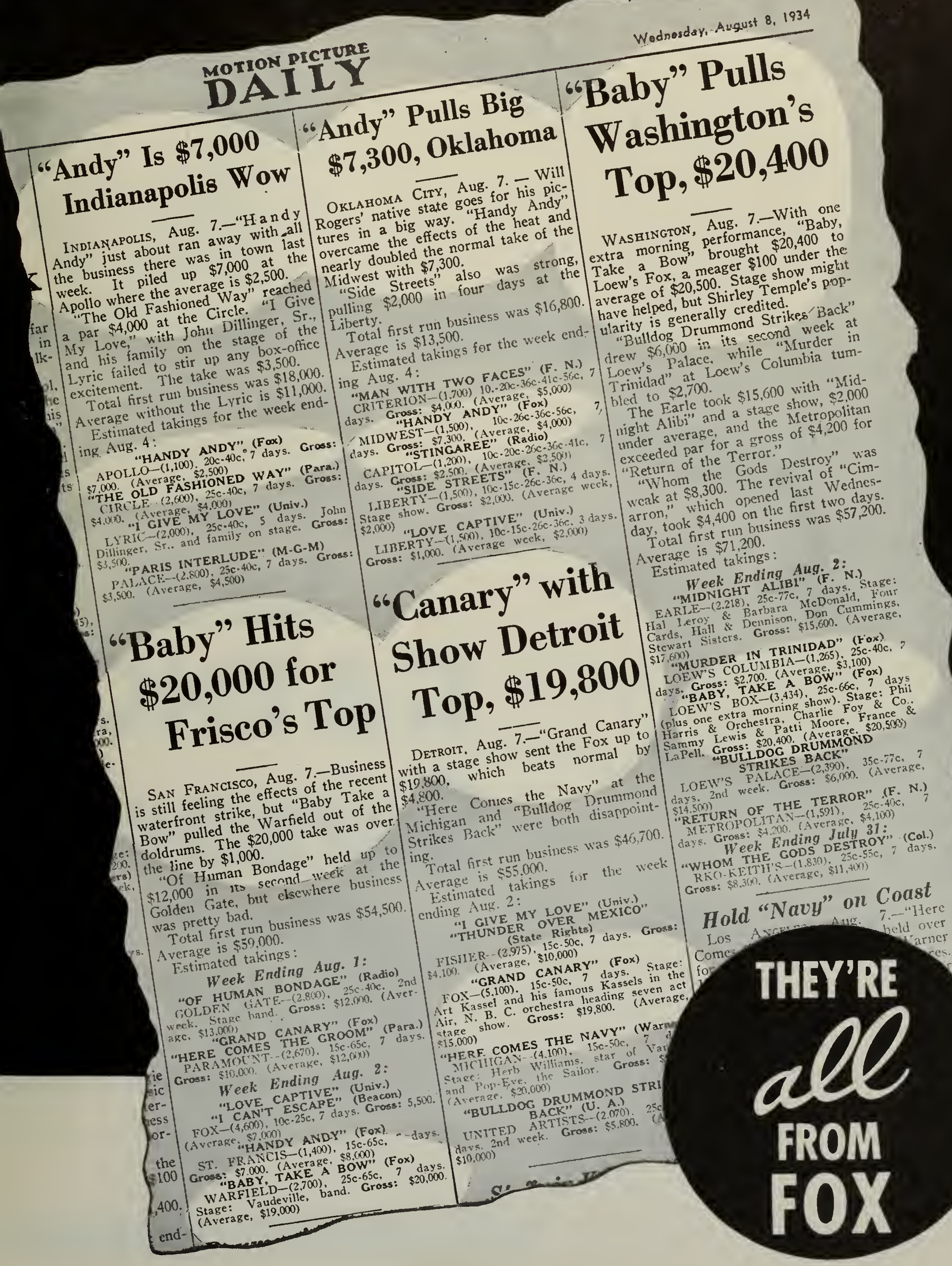
HOWARD S. CULLMAN, receiver for the Roxy, is at Blue Mountain Lake, Hamilton County, N. Y.

AL JOLSON will depart for the coast today by plane to visit his wife, RUBY KEELER.

SAUL ROGERS is vacationing on the Jersey shore.

MOE STREIMER is upstate on U. A. business.

IT'S THE SAME STORY *Everywhere*



MOTION PICTURE DAILY

Wednesday, August 8, 1934

"Andy" Is $7,000 Indianapolis Wow

INDIANAPOLIS, Aug. 7.—"Handy Andy" just about ran away with all the business there was in town last week. It piled up $7,000 at the Apollo where the average is $2,500.

"The Old Fashioned Way" reached a par $4,000 at the Circle. "I Give My Love," with John Dillinger, Sr., and his family on the stage of the Lyric failed to stir up any box-office excitement. The take was $3,500.

Total first run business was $18,000. Average without the Lyric is $11,000.

Estimated takings for the week ending Aug. 4:

"HANDY ANDY" (Fox)
APOLLO—(1,100), 20c-40c, 7 days. **Gross:** $7,000. (Average, $2,500)

"THE OLD FASHIONED WAY" (Para.)
CIRCLE—(2,600), 25c-40c, 7 days. **Gross:** $4,000. (Average, $4,000)

"I GIVE MY LOVE" (Univ.)
LYRIC—(2,000), 25c-40c, 5 days. John Dillinger, Sr., and family on stage. **Gross:** $3,500.

"PARIS INTERLUDE" (M-G-M)
PALACE—(2,800), 25c-40c, 7 days. **Gross:** $3,500. (Average, $4,500)

"Baby" Hits $20,000 for Frisco's Top

SAN FRANCISCO, Aug. 7.—Business is still feeling the effects of the recent waterfront strike, but "Baby Take a Bow" pulled the Warfield out of the doldrums. The $20,000 take was over the line by $1,000.

"Of Human Bondage" held up to $12,000 in its second week at the Golden Gate, but elsewhere business was pretty bad.

Total first run business was $54,500. Average is $59,000.

Estimated takings:

Week Ending Aug. 1:

"OF HUMAN BONDAGE" (Radio)
GOLDEN GATE—(2,800), 25c-40c, 2nd week. Stage band. **Gross:** $12,000. (Average, $13,000)

"GRAND CANARY" (Fox)
"HERE COMES THE GROOM" (Para.)
PARAMOUNT—(2,670), 15c-65c, 7 days. **Gross:** $10,000. (Average, $12,000)

Week Ending Aug. 2:

"LOVE CAPTIVE" (Univ.)
"I CAN'T ESCAPE" (Beacon)
FOX—(4,600), 10c-25c, 7 days. **Gross:** 5,500. (Average, $7,000)

"HANDY ANDY" (Fox)
ST. FRANCIS—(1,400), 15c-65c, — days. **Gross:** $7,000. (Average, $8,000)

"BABY, TAKE A BOW" (Fox)
WARFIELD—(2,700), 25c-65c, 7 days. Stage: Vaudeville, band. **Gross:** $20,000. (Average, $19,000)

"Andy" Pulls Big $7,300, Oklahoma

OKLAHOMA CITY, Aug. 7. — Will Rogers' native state goes for his pictures in a big way. "Handy Andy" overcame the effects of the heat and nearly doubled the normal take of the Midwest with $7,300.

"Side Streets" also was strong, pulling $2,000 in four days at the Liberty.

Total first run business was $16,800. Average is $13,500.

Estimated takings for the week ending Aug. 4:

"MAN WITH TWO FACES" (F. N.)
CRITERION—(1,700) 10.-20c-36c-41c-56c, 7 days. **Gross:** $4,000. (Average, $5,000)

"HANDY ANDY" (Fox)
MIDWEST—(1,500), 10c-26c-36c-56c, 7 days. **Gross:** $7,300. (Average, $4,000)

"STINGAREE" (Radio)
CAPITOL—(1,200), 10c-20c-26c-36c-41c, 7 days. **Gross:** $2,500. (Average, $2,500)

"SIDE STREETS" (F. N.)
LIBERTY—(1,500), 10c-15c-26c-36c, 4 days. Stage show. **Gross:** $2,000. (Average week, $2,000)

"LOVE CAPTIVE" (Univ.)
LIBERTY—(1,500), 10c-15c-26c-36c, 3 days. **Gross:** $1,000. (Average week, $2,000)

"Canary" with Show Detroit Top, $19,800

DETROIT, Aug. 7.—"Grand Canary" with a stage show sent the Fox up to $19,800, which beats normal by $4,800.

"Here Comes the Navy" at the Michigan and "Bulldog Drummond Strikes Back" were both disappointing.

Total first run business was $46,700. Average is $55,000.

Estimated takings for the week ending Aug. 2:

"I GIVE MY LOVE" (Univ.)
"THUNDER OVER MEXICO" (State Rights)
FISHER—(2,975), 15c-50c, 7 days. **Gross:** $4,100. (Average, $10,000)

"GRAND CANARY" (Fox)
FOX—(5,100), 15c-50c, 7 days. Stage: Art Kassel and his famous Kassels in the Air, N. B. C. orchestra heading seven act stage show. **Gross:** $19,800. (Average, $15,000)

"HERE COMES THE NAVY" (Warn
MICHIGAN—(4,100), 15c-50c, 7 d
Stage: Herb Williams, star of Var
and Pop-Eye, the Sailor. **Gross:** $
(Average, $20,000)

"BULLDOG DRUMMOND STRI
BACK" (U. A.)
UNITED ARTISTS—(2,070), 25c
days, 2nd week. **Gross:** $5,800. (A
$10,000)

"Baby" Pulls Washington's Top, $20,400

WASHINGTON, Aug. 7.—With one extra morning performance, "Baby, Take a Bow" brought $20,400 to Loew's Fox, a meager $100 under the average of $20,500. Stage show might have helped, but Shirley Temple's popularity is generally credited.

"Bulldog Drummond Strikes Back" drew $6,000 in its second week at Loew's Palace, while "Murder in Trinidad" at Loew's Columbia tumbled to $2,700.

The Earle took $15,600 with "Midnight Alibi" and a stage show, $2,000 under average, and the Metropolitan exceeded par for a gross of $4,200 for "Return of the Terror."

"Whom the Gods Destroy" was weak at $8,300. The revival of "Cimarron," which opened last Wednesday, took $4,400 on the first two days.

Total first run business was $57,200. Average is $71,200.

Estimated takings:

Week Ending Aug. 2:

"MIDNIGHT ALIBI" (F. N.)
EARLE—(2,218), 25c-77c, 7 days. Stage: Hal Leroy & Barbara McDonald, Four Cards, Hall & Dennison, Don Cummings, Stewart Sisters. **Gross:** $15,600. (Average, $17,600)

"MURDER IN TRINIDAD" (Fox)
LOEW'S COLUMBIA—(1,265), 25c-40c, 7 days. **Gross:** $2,700. (Average, $3,100)

"BABY, TAKE A BOW" (Fox)
LOEW'S BOX—(3,434), 25c-66c, 7 days (plus one extra morning show). Stage: Phil Harris & Orchestra, Charlie Foy & Co., Sammy Lewis & Patti Moore, France & LaPell. **Gross:** $20,400. (Average, $20,500)

"BULLDOG DRUMMOND STRIKES BACK"
LOEW'S PALACE—(2,390), 35c-77c, 7 days, 2nd week. **Gross:** $6,000. (Average, $14,500)

"RETURN OF THE TERROR" (F. N.)
METROPOLITAN—(1,591), 25c-40c, 7 days. **Gross:** $4,200. (Average, $4,100)

Week Ending July 31:

"WHOM THE GODS DESTROY" (Col.)
RKO-KEITH'S—(1,830), 25c-55c, 7 days. **Gross:** $8,300. (Average, $11,400)

Hold "Navy" on Coast

Los Ange[illegible] Aug. 7.—"Here [illegible] held over [illegible] Warner [illegible]

THEY'RE *all* FROM FOX

Those "STATE FAIR"

are sweet on

Janet Gaynor as a merry modern million-heiress masquerading as a maid servant. Lew Ayres as a chauffeur with an inventive turn

Janet
GAYNOR
Servants'

NED SPARKS
LOUISE DRESSER
ASTRID ALLWYN

Produced by Winfield Sheehan

FOX

ALL THE WORLD

Sweethearts

each other again!

of mind and a leaning toward romance. Gay entertainment with these two star favorites shining their box office brightest.

Lew
AYRES
Entrance

WALTER CONNOLLY

G. P. HUNTLEY, JR.

SIEGFRIED RUMANN

Directed by Frank Lloyd
From the novel by Sigrid Boo
Adaptation: Samson Raphaelson

LOVES THESE LOVERS

Reach Accord On 'Lab' Code; $16 Minimum

(Continued from page 1)

was informed that if a serious situation arises it can come back for relief.

A $16 minimum wage was agreed to in lieu of the present $15 bottom. Details of the code authority setup have not yet been worked out, but it is understood there will be two or three members from the Pacific Coast, three or four from the large eastern laboratories and four or five from the smaller ones, with representation for labor when labor questions are under consideration.

The proposed authority setup ignores the trade's association, which heretofore has been administering the code, but that organization has agreed to cut its dues to $5 and waive initiation fees.

Duals Ruling Called Aid to Little Fellow

(Continued from page 1)

itors appealed to Code Authority, inasmuch as many independent productions are part of double feature programs and numerous smaller theatres depend upon offering their patrons dual features.

"Code Authority's decision stated there could be no discrimination or penalty whatsoever against theatres playing double features in the drafting of clearance and zoning schedules throughout the nation."

Four New Cases Are Heard in Committee

Four more cases were heard yesterday by a Campi committee consisting of Edward Golden, chairman; Leo Abrams, Universal, and Nathan Zinegrad, independent exhibitor. The cases were:

Elwood, Newark, against Warners' Regent, Newark; Warners' Capitol, Belleville, N. J.; M-G-M, RKO, U. A., Columbia, Big "U" and Paramount, on clearance and zoning; Rialto, Jacksonville, Texas, against Palace and Dorbandt, same city, charging unfair competition because of too many changes; New, Falfurrias, Texas, against Rialto, Alice, Texas, on reduced admissions; Vitaphone, Wenatchee, Wash., and Capitol, Olympia, Wash., against Evergreen States Theatres' Liberty, Seattle, on reduced admissions.

Omaha Board Orders Fox Scales Upheld

OMAHA, Aug. 16.—The grievance board has ruled that the Fox Midwest at Beatrice, Neb., must maintain its admission price on all license agreements with distributors.

The complaint was filed by F. E. Hollingsworth, operator of the Rialto at Beatrice, a second run. L. J. McCarthy, Fox Midwest representative from Kansas City, appeared before the local board.

Detroit Clearance Held Up by Appeals

DETROIT, Aug. 16.—The new clearance and zoning schedule for the selling season of 1934-35 has been issued and is now in the hands of interested parties.

The schedule was to have become effective yesterday and all features were to have come under the new ruling. Protests to Campi delayed it, however.

The new form affects all theatres in the Detroit metropolitan area and first run houses are entitled to 28 days' protection on week runs, 60 days on extended runs and seven days over all theatres within a 60-mile radius served by local exchanges.

Campi will set a date for a hearing on Detroit protests. No appealed schedules can become operative until Code Authority hands down rulings on protested clauses.

Nizer Wins Ruling On Sale of Theatre

Louis Nizer yesterday won another protest before the New York grievance board. Nizer represented M-G-M, Paramount, Columbia, Big "U," Majestic and Warners in a complaint against the Mona Theatre Corp., Glad Amusement Corp., Abraham Drojin, John Gladstone, Henry Liman and Morris Shapiro, charging fraudulent transfer of the Rialto, Whitestone, L. I.

Acting on advice of counsel, the respondents refused to answer questions put to them by Nizer. The board found the defendants guilty of violating Article V-E, Part 4 of the code.

Armand Schwab of Armand Schwab & Co., millinery importers, substituted for George F. Thompson, impartial man. John O'Connor, Robert Wolff, Louis Geller and Harry H. Thomas represented the board with O'Connor as chairman.

Omaha Theatre Men Resent Bard Moves

OMAHA, Aug. 16.—Local leaders of film organizations expressed resentment at the action of Calvin Bard, a former exhibitor, in representing himself to Sol A. Rosenblatt, when he paused here last week, as spokesman for 200 independent exhibitors of this territory who are "off" the code.

Check of the records in the local code office show there are about 260 theatres being operated in the Nebraska and western Iowa territory. Of that number, more than 200 independents and 30 affiliated are wearing the blue eagle, leaving about 30 non-code members. About half of the latter are believed to be sympathetic with Bard in his efforts to form a new organization of independent exhibitors.

ITO Complaint Asks K. C. Free Show Ban

KANSAS CITY, Aug. 16.—Acting to stamp out free picture shows in Kansas City, the I. T. O., through Mrs. A. Baier, secretary, has filed a complaint with the local grievance board against the Interstate Film Co., silent film exchange, asking the board to instruct the company to discontinue film service to a merchants' group sponsoring free showings at Lykens Square.

Baker Makes Short

Kansas City, Aug. 16.—Revealing an unsuspected talent, George S. Baker, manager of the local Publix Newman, turned cameraman on his honeymoon in Yellowstone Park and produced a six-minute short which he is showing at his theatre under the title "An Amateur Photographer Visits Yellowstone."

Strong Films Lift Grosses On Broadway

Broadway box-offices started August off with several box-office tonics, the Music Hall, Capitol, Rivoli and Roxy all having strong attractions.

"The World Moves On" took $72,000 at the Music Hall, "The Girl from Missouri" reached $41,000 at the Capitol, and "House of Rothschild" garnered $25,000 in its third week at the Rivoli. "Handy Andy" was considered so strong at $27,600 in the Roxy that it was held over for a second and is going into a third week. "Here Comes the Navy" held up to $17,321 in its third week at the Strand.

Estimated takings:

Week Ending Aug. 7:

"PERSONALITY KID" (Warners)

RIALTO—(2,300), 25c-65c, 7 days. **Gross:** $8,000.

Week Ending Aug. 8:

"THE WORLD MOVES ON" (Fox)

RADIO CITY MUSIC HALL—(5,945), 35c-$1.65, 7 days. Stage show. **Gross:** $72,000.

"HOUSE OF ROTHSCHILD" (U. A.)

RIVOLI—(2,200), 40c-99c, 3rd week, 7 days. **Gross:** $25,000.

Week Ending Aug. 9:

"GIRL FROM MISSOURI" (M-G-M)

CAPITOL—(4,700), 35c-$1.65, 7 days. Stage: Boh Hope, Pat Rooney Sr. & Jr. and others. **Gross:** $41,000.

"GRAND CANARY" (Fox)

PALACE—(2,500), 25c-75c, 7 days. **Gross:** $10,000.

"ELMER AND ELSIE" (Para.)

PARAMOUNT—(3,700), 35c-99c, 7 days. Stage show. **Gross:** $10.500.

"HANDY ANDY" (Fox)

ROXY—(6,200), 25c-55c, 7 days. Stage show. **Gross:** $27,600.

"HERE COMES THE NAVY" (Warners)

STRAND—(2,000), 25c-$1.10, 3rd week, 7 days. **Gross:** $17,321.

Week Ending Aug. 13:

"FRIENDS OF MR. SWEENEY" (Warners)

MAYFAIR—(2.300), 35c-65c, 2nd week, 7 days. **Gross:** $11,000.

Refuse Reade Complaint

Walter Reade's complaint against cut rate tickets at New Jersey dog tracks has been turned down by the New Jersey Racing Commission. The commission informed him he should take the complaint up with the tracks and the NRA. Reade replied warmly to the effect that he would do just that.

Code Assents Arriving

Many new assents are coming into Campi headquarters, but no estimates of the total can be made at this time. However, a tabulation of all new compliances since the deadline was extended to Aug. 15 will be made before the next Code Authority session Aug. 23.

"Loves Me" Is Wow on Loop; Gets $66,000

CHICAGO, Aug. 16.—"She Loves Me Not" hit a sensational $66,000 at the Chicago last week, with Fred Waring and his Pennsylvanians on the stage. Normal for the house is $34,600.

"Sadie McKee" was also an exceptional moneymaker. It piled up $21,000, up by $6,000, in its second Loop week at the Oriental. There was a strong stage show to help out. Other first runs found the going rough as a result.

Total first run business was $137,000. Average is $115,600.

Estimated takings:

Week Ending Aug. 7:

"BULLDOG DRUMMOND STRIKES BACK" (U. A.)

UNITED ARTISTS—(1,700), 30c-40c-60c, 3rd week, 10 days. **Gross:** $9,000. (Average, $17,000)

Week Ending Aug. 8:

"HERE COMES THE NAVY" (Warners)

ROOSEVELT—(1,591), 25c-35c-50c, 2nd week, 7 days. **Gross:** $8,000. (Average, $11,000)

Week Ending Aug. 9:

"SHE LOVES ME NOT" (Para.)

CHICAGO—(4,000), 35c-50c-68c, 7 days. Fred Waring and his Pennsylvanians heading stage show. **Gross:** $66,000. (Average, $34,600)

"SADIE McKEE" (M-G-M)
(Second Loop Week)

ORIENTAL—(3,940), 25c-40c, 7 days. King's Jesters, Hap Hazard, Danny & Eddie, Four Franks, Lorraine & Digsby, Marcelle Williams & Co. on stage. **Gross:** $21,000. (Average, $15,000)

"BACHELOR BAIT" (Radio)

PALACE—(2,509), 25c-35c-50c, 7 days. Ted Fio-Rita and orchestra, Two Daveys, Sandy Lang on stage. **Gross:** $20,000. (Average, $22,000)

Week Ending Aug. 11:

"LET'S TALK IT OVER" (Univ.)

STATE-LAKE—(2,776), 20c-25c-35c, 7 days. Million Dollar Fur Revue on stage. **Gross:** $13,000. (Average, $15,000)

"Andy" Top in 2nd Indianapolis Week

INDIANAPOLIS, Aug. 16.—"Handy Andy" nearly doubled the normal take at the Apollo, topping par by $2,000 for a gross of $4,500, in its second week.

Business picked up all along the line. "Here Comes the Navy," "Cockeyed Cavaliers" and "The Girl from Missouri" were all up to average.

Total first run business was $17,000. Average is $15,000.

Estimated takings for the week ending Aug. 11:

"HANDY ANDY" (Fox)

APOLLO—(1,171), 25c-40c, 7 days. 2nd week. **Gross:** $4,500. (Average, $2.500)

"HERE COMES THE NAVY" (Warners)

CIRCLE—(2,638), 25c-40c, 7 days. **Gross:** $4,000. (Average, $4,000)

"COCKEYED CAVALIERS" (Radio)

LYRIC—(1,896), 25c-40c, 7 days. **Gross:** $4,000. (Average, $4,000)

"THE GIRL FROM MISSOURI" (M-G-M)

PALACE—(2,431), 25c-40c, 7 days. **Gross:** $4,500. (Average, $4,500)

Tampa Victory Is Closed

TAMPA, Aug. 16.—The Victory, second largest house here and the home of vaudeville, has closed for the rest of the summer. Stage shows have been switched to the Park, located in the Hyde Park section, west of the River. Both of these houses are operated by Sparks.

Boston Low; "Two Faces" Gets $27,000

BOSTON, Aug. 16.—The week's total rosses ran pretty close to those of ast week, with slight gains and losses t the different first run houses.

Metropolitan grossed $27,000 on The Man With Two Faces," with ne original "The Goldbergs" cast in erson for the stage show. RKO ;eith Boston did even better, grossing 15,000 on its double feature program f "The Lady Is Willing" and "Monte ;arlo Nights" with an average of $16,-00.

Totals for first runs were $84,000. ,verage is $94,000.

Estimated takings for the week endng Aug. 9:

"THE LADY IS WILLING" (Col.)
MONTE CARLO NIGHTS" (Monogram)
BOSTON—(2,900), 25c-50c, 7 days. **Gross:** .5,000. (Average, $16,000)

FRIENDS OF MR. SWEENEY" (War.)
"LADIES SHOULD LISTEN" (Para.)
FENWAY—(1,800), 30c-50c, 7 days. **Gross:** ,500. (Average, $9,000)

"HIS GREATEST GAMBLE" (Radio)
KEITH'S—(3,500), 30c-50c, 7 days. **Gross:** 4,000. (Average, $16,000)

THE GIRL FROM MISSOURI" (M-G-M)
LOEW'S STATE—(3,700), 35c-50c, 7 days. **ross:** $14,500. (Average, $16,000)

THE MAN WITH TWO FACES" (F. N.)
METROPOLITAN—(4,350), 30c-65c, 7 ays. The Goldbergs. **Gross:** $27,000. (Av-age, $28,000)

FRIENDS OF MR. SWEENEY" (War.)
"LADIES SHOULD LISTEN" (Para.)
PARAMOUNT—(1,800), 30c-50c, 7 days. **ross:** $7,000. (Average, $9,000)

'Handy Andy" Sensational In Cleveland

CLEVELAND, Aug. 16.—Will Rogers' opularity seems to be gaining in this wn. "Handy Andy" was a sensation : Warners' Hippodrome last week, ore than doubling normal take at 12,000.

"The Girl from Missouri" was also money-maker, pulling $10,500 at oew's State.

Total first run business was $33,900. verage is $29,000.

Estimated takings, tax included, for e week ending Aug. 10:

"HANDY ANDY" (Fox)
WARNERS' HIPPODROME — (3,800), c-35c-44c, 7 days. **Gross:** $12,000. (Aver-ge, $5,000)

"OF HUMAN BONDAGE" (Radio)
RKO PALACE—(3,100), 30c-35c-44c, 2nd eek, 7 days. **Gross:** $8,900. (Average, $10,-0)

THE GIRL FROM MISSOURI" (M-G-M)
LOEW'S STATE—(3,400), 30c-35c-44c, 7 ys. **Gross:** $10,500. (Average, $10,000)

"KISS AND MAKE UP" (Para.)
LOEW'S STILLMAN—(1,900), 20c-30c-40c, days. **Gross:** $2,500. (Average, $4,000)

Open Phila. Exchange

PHILADELPHIA, Aug. 16.—Equity ilm Exchanges, Inc., has been formed ere by Martin Mermelstein and /. J. Heenan. A branch in Washgton is planned within the next few onths.

evive Sennett Comedies

World Wide is reviving 12 two-reel lack Sennett comedies. The first will "The Bride's Relations" set for ug. 22, with one every two weeks ereafter.

Grosses Gain in 13 Keys For First Week of August

Grosses picked up in 13 key cities of the country for the week ending Aug. 2-3 and reached a total of 1,010,499 for 22 places reporting after having touched new lows for the last half of July. The gain over the previous week was $12,214.

The gains were scattered all across the country, coming from Boston, Buffalo, Chicago, Denver, Indianapolis, Minneapolis, Oklahoma City, Omaha, Philadelphia, Portland, Providence, St. Paul and Seattle.

At the same time slight losses were reported by Cleveland, Detroit, Kansas City, Los Angeles, Montreal, New York, Pittsburgh, San Francisco and Washington.

Comparative grosses for the latest available periods:

	Week Ending Aug. 2-3		*Week Ending July 26-27*	
	No. Theatres	Gross	No. Theatres	Gross
Boston	6	$85,000	6	$82,000
Buffalo	5	30,800	5	26,700
Chicago	6	122,000	6	114,000
Cleveland	4	29,200	4	32,500
Denver	5	21,800	5	15,700
Detroit	4	46,700	4	53,800
Indianapolis	4	18,000	4	17,500
Kansas City	5	27,900	5	32,400
Los Angeles	6	68,435	7	70,615
Minneapolis	5	20,500	5	17,000
Montreal	5	26,500	5	28,500
New York	9	197,414	9	206,220
Oklahoma City	4	16,800	4	12,600
Omaha	3	19,000	3	18,750
Philadelphia	6	52,300	6	38,600
Pittsburgh	3	26,000	3	37,000
Portland	6	21,400	6	20,000
Providence	5	24,450	5	19,950
San Francisco	5	54,500	5	54,700
St. Paul	4	16,000	4	15,500
Seattle	6	28,600	6	26,150
Washington	6	57,200	6	58,100
	112	$1,010,499	113	$998,285

Comparative grosses compiled from day-to-day reports for 45 weeks show this:

Week Ending	*Theatres*	*Grosses*
September 29-30, 1933	135	$1,342,710
October 6-7	141	1,417,886
October 13-14	143	1,544,838
October 20-21	141	1,581,308
October 27-28	143	1,509,422
November 3-4	142	1,500,740
November 10-11	141	1,379,560
November 17-18	144	1,375,132
November 24-25	141	1,431,209
December 1-2	141	1,418,753
December 8-9	142	1,558,832
December 15-16	139	1,221,032
December 22-23	133	1,071,457
December 29-30	138	1,433,289
January 5-6, 1934	136	1,714,824
January 12-13	138	1,435,649
January 19-20	136	1,305,267
January 26-27	135	1,348,517
February 2-3	135	1,338,371
February 9-10	135	1,270,345
February 16-17	136	1,317,011
February 23-24	136	1,316,421
March 2-3	135	1,350,548
March 9-10	134	1,378,865
March 16-17	133	1,302,020
March 23-24	128	1,291,695
March 30-31	134	1,247,322
April 6-7	135	1,571,695
April 13-14	132	1,360,061
Apri. 20-21	135	1,342,151
April 27-28	133	1,307,764
May 3-4	134	1,256,631
May 10-11	133	1,250,702
May 17-18	133	1,260,655
May 24-25	133	1,209,381
May 31-June 1	132	1,209,113
June 7-8	128	1,123,764
June 14-15	125	1,111,432
June 21-22	127	1,173,017
June 28-29	124	1,076,284
July 5-6	121	1,084,997
July 12-13	116	1,041,876
July 19-20	110	919,932
July 26-27	113	998,285
August 2-3	112	1,010,499

"Love Me" Is Big Holdover Draw on Coast

LOS ANGELES, Aug. 16.—Despite continued heat the local intake continues to hold up encouragingly. The Paramount, with "She Loves Me Not" in its second week, continued to lead the field at $21,108. This was $3,108 over the first week average.

"Here Comes the Navy" held up to an average $12,000 in its second week at Warners' Downtown, but dropped off at the Hollywood to $11,000.

Total first run business was $63,688. Average is $69,200.

Estimated takings for the week ending Aug. 15:

"STAMBOUL QUEST" (M-G-M)
LOEW'S STATE—(2,413), 30c-55c, 7 days. **Gross:** $10,780. (Average, $14.000)

"SHE LOVES ME NOT" (Para.)
PARAMOUNT—(3,595), 30c-55c, 2nd week, 7 days. Stage: F. & M. revue with Murray Lane, Willock & Carson. **Gross:** $21,-108. (Average, $18,000)

"HIS GREATEST GAMBLE" (Radio)
RKO—(2,700), 25c-40c, 7 days. **Gross:** $4,000. (Average, $8,000)

"HERE COMES THE NAVY" (Warners)
WARNER BROS. (Hollywood)—(3,000), 25c-55c, 2nd week, 7 days. **Gross:** $11,000. (Average, $14,000)

"HERE COMES THE NAVY" (Warners)
WARNER BROS. (Downtown)—(3,400), 25c-55c, 2nd week, 7 days. **Gross:** $12,000. (Average, $12,000)

"ONE MORE RIVER" (Univ.)
"WHO WAS WHO IN THE MOVIES" (S. R.)
PANTAGES — (3,000), 25c-40c, 7 days. **Gross:** $4.800. (Average, $3,200)

To Golf in Idaho Soon

PORTLAND, Aug. 16.—Members of the Cinema Social Club expect to gather soon at the Plantation, famous Idaho golf course. The date has not been set, but William Green of National Screen Service says it will be within the next two weeks and that representatives will be invited from Washington, Oregon, Idaho and Utah.

Geiger Joins Mundus

CLEVELAND, Aug. 16.—Maurice Geiger, formerly of Los Angeles, has been appointed northern Ohio sales manager for Mundus Distributing Corp. with headquarters in the local United Artists exchange. Geiger is a brother of Lou Geiger of the United Artists Cleveland office.

Yaeger Is Made Booker

OMAHA, Aug. 16.—Sol Yaeger, former midwest traveling auditor for Columbia, has been appointed booker at the local Columbia exchange. He succeeds William Burke who was named RKO-Radio office manager in Kansas City.

Fairhaven Sets Deals

Fairhaven Prod., Ltd., has closed with Arthur Greenblatt for distribution of "Ra-Mu" in the New York territory, with Majestic Pictures Corp. for Cleveland and Cincinnati, and with Majestic of Missouri for St. Louis.

New House for Beirut

WASHINGTON, Aug. 16.—A 1,500-seat theatre, to be opened in January, 1935, is about to be started near the center of Beirut, Syria, according to a report submitted to the U. S. Department of Commerce by Vice Consul Daniel Gaudin.

Heigh-ho, Albert . . . I'm at a loss for words to describe this sensational "Dames" premiere to our radio audience. Suppose *you* tell them about the 3 customers that have fainted, and about all the celebrities that are here—and I'll just make a short announcement about "Sweet Music," the show I'm going to do for Warners.

AND AS WE RUSH TO PRESS—

Crowds Force Box-office Closing at 1 P. M. First Day!

. . .

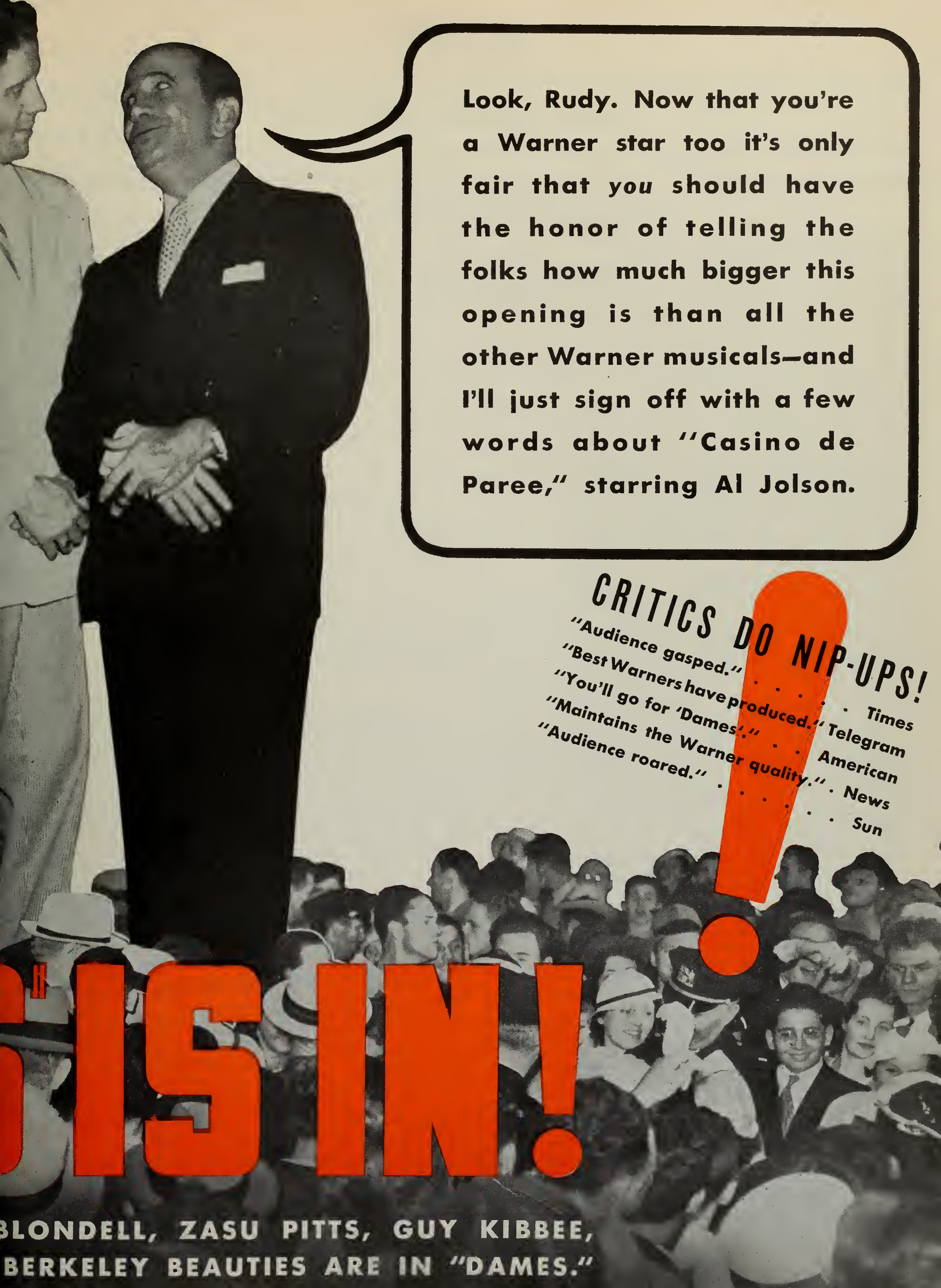
Hartford Reports $500 Over "42nd Street" Opening Take!

. . .

New Orleans Reserved Seat Premiere Sold Out 2 Days in Advance!

"DAME

AND RUBY KEELER, DICK POWELL,
HUGH HERBERT AND HUNDREDS OF



Look, Rudy. Now that you're a Warner star too it's only fair that *you* should have the honor of telling the folks how much bigger this opening is than all the other Warner musicals—and I'll just sign off with a few words about "Casino de Paree," starring Al Jolson.

CRITICS DO NIP-UPS!

"Audience gasped." . . . . . Times
"Best Warners have produced." Telegram
"You'll go for 'Dames'." . . American
"Maintains the Warner quality." . News
"Audience roared." . . . . Sun

IS IN!

BLONDELL, ZASU PITTS, GUY KIBBEE,
BERKELEY BEAUTIES ARE IN "DAMES."

Fox Met Goes In Bankruptcy This Morning

(*Continued from page* 1)

Fox Theatres and Archibald Palmer get together on a petition for reorganization, which he will consider after they reach an agreement. Palmer stated in court he would withdraw his petition, provided the bondholders' protective committee would let him sit in on conferences on reorganization plans.

Palmer told the court he had held a meeting with Morton G. Bogue of the bondholders' protective committee on Wednesday and an agreement was reached on certain points.

Bogue urged putting the corporation into bankruptcy immediately to save time and expense for both his committee and Fox Met.

It was pointed out that negotiations would have to be resumed with Fox Film for changes in the reorganization plan as originally submitted by the bondholders' protective group. Palmer said he would like to make certain modifications in the plan, but did not want to destroy the entire work of the committee.

Palmer was afraid that Loew's and Warners would make another bid for the 87 houses under provision 77-B of the bankruptcy act, but Judge Mack convinced him that the bondholders' committee could not make any contracts until the court approves them. The judge also stated that the bankruptcy obviates the necessity for a foreclosure.

Further Facts Brought Out

Judge Mack brought out the fact that J. Robert Rubin, attorney for Loew's, told him that if Fox Met were reorganized under 77-B, Loew's would not be interested in the circuit.

From all indications, since no objections were raised in court yesterday, it is likely Randforce and Skouras will continue operation of their present groups. Louis Frisch and Sam Rinzler are operating the Randforce group under their original agreement, the six months' employment contract with the bondholders guaranteeing the independents any possible losses not having been approved by Judge Mack.

With the signing of the order, a meeting scheduled for next Tuesday, at which time the order was to have been signatured, is off.

Saul E. Rogers, who had previously told the court he had a plan for reorganization, was absent. His client, A. C. Blumenthal, was present, but silent when the judge asked if any new bids were to be made.

That Rogers and Blumenthal would not present a new plan for reorganization was exclusively reported in Motion Picture Daily on Wednesday.

Blumenthal is understood to have been after the New Jersey Fox Met theatres on Warners behalf, but with elimination of a foreclosure the houses will continue under supervision of the bondholders and trustee.

After the various groups evolve a new reorganization plan which justifies presentation to all bondholders it will then be turned over to Judge Mack for approval. The bondholders' committee represents 85 per cent of the outstanding bonds. It was stated that owners of $600,000 bonds have not yet been identified. Palmer represents the Adler Brothers who have $11,000 worth of bonds.

When the session opened yesterday, Bogue asked the court for a two weeks' postponement, but at the conclusion of the meeting, with Palmer willing to cooperate with the bondholders' committee, it was agreed to enter the bankruptcy order this morning at 10 o'clock.

'Twas DeMille Birthday

Kansas City, Aug. 16.—Cecil B. DeMille probably will remember for some time the party thrown by friends at a local hotel celebrating his 53rd birth anniversary. The affair was featured by a parade of nine mannequins attired in the costumes of the screen heroines DeMille has made famous, and other typical DeMille atmosphere.

The climax came when, in the presence of city officials and a crowded grill room, it was announced DeMille did not observe his birthday on Saturday night without cause and, heralded by heavy trumpet blasts, four Nubian slaves in leopard skins brought in a white family bathtub.

The tribute, it was explained, was the graceful homage of the nation's plumbers, who regarded DeMille as their patron saint.

Weisman Co-Receiver

Milton C. Weisman, senior partner of the law firm of Weisman, Allen and Spett, yesterday was named co-receiver of Fox Theatres Corp. by Judge Martin Manton in the U. S. District Court for the Southern District of New York. Weisman also is attorney for the I. T. O. A. of New York.

William E. Atkinson is the other receiver. Fox Theatres has about eight houses leased to individuals and corporations and does not operate any of its theatres itself.

John Sherman, who died some months ago, had been a co-receiver with Atkinson.

Stanley Units Will Discuss Merger Here

(*Continued from page* 1)

rejection of an agreement entered into by the directors of the three corporations for a consolidation or merger of the Stanley-Fabian Corp. and the Stanley-Crandall Co. of Washington with the Stanley Co. of America. Stockholders of record at the close of business Aug. 2 will be entitled to vote.

Stanley-Crandall will meet at 10 A. M.; Stanley Fabian at 10:15 and Stanley Co. of America, at 10:30 o'clock.

All of these theatre subsidiaries are controlled by Warners.

Disney-Penney in Tieup

A tieup with the J. C. Penney Co., which operates 1,500 retail stores throughout the country, has been negotiated by Kay Kamen in behalf of Walt Disney productions. The campaign, to be known as "Mickey Mouse's Back-to-School Days," will run until late next month. The purpose of the tieup is to push the sale of children's merchandise.

Mexico to Impose Film Import Duty

(*Continued from page* 1)

positive with Spanish sound, $2.08 per two and two-tenth pounds; with any other language, $12.60 to $16.20 per two and two-tenth pounds, the range being determined by the classification of the film.

Discs with Spanish dialogue and music for use with films will be assessed three cents each.

The Ministry of Finance has been authorized to fine importers who fail to keep within their yearly quotas as high as $27 per two and two-tenths pounds on positives with any language other than Spanish.

"Cleopatra" Opens In Repolished Para.

With its orchestra converted into reserved seats only for the opening, "Cleopatra" got under way at the Paramount last night, following one dark week. During the closed period, the house, never before shuttered since it opened in 1926, was garnished with fresh coats of paint, new carpets, a new screen, an overhauled refrigeration plant which was anything but necessary in last night's cool weather, and new outfits for ushers. The orchestra, too, was augmented.

Paramount spent a reported $30,000 on its New York daily newspaper campaign for the DeMille picture.

Among those who thronged the lobby at the premiere, which attracted one of the most representative audiences in some time, were:

Nicholas M. and Joseph M. Schenck, Barney Balaban, George J. Schaefer, Austin Keough, A. H. Blank, Ralph Branton, Henry Saulsbury, Jack Cohn, Dr. Julius Klein, Gus Edwards, James Young, Harry Gold, Roy Norr, Leon Netter and Borris Morros.

Cecil B. DeMille, who directed, occupied an aisle seat in the last row in the center section of the orchestra, as per his custom. In the middle of the picture he left to keep a radio engagement, returning later for the closing sequences. Schaefer was host to DeMille at a party after the show.

Circumventing a difficulty present at earlier important openings was an arrangement with the police department whereby parking facilities were provided on both sides of 43rd St. from Broadway to 8th Ave. Cards to a selected list of invited guests provided open sesame when flashed on the bluecoats.

"Cleopatra" was reviewed by wire from Hollywood in Motion Picture Daily on July 24.

Loew's Ready To Join Deal For Dual Ban

(*Continued from page* 1)

Moskowitz denies this, declaring it is the first he has heard of it.

"We are willing to go along," Moskowitz states, "as long as everyone else does."

Loew's already has advised the Allied New Jersey unit it will drop twins as soon as signatures are obtained from all independent houses and circuits. The single plan for Jersey is tentatively scheduled to go into effect Sept. 3, but a delay is expected due to the amount of time required to canvass individual exhibitors for signatures.

The Allied dual committee mets today for the second time this week to discuss latest developments in its signature drive.

Reade Calls Duals Industry Detriment

Duals are a detriment to the industry and the whole system is all wrong, declares Walter Reade, operator of 39 theatres in New York and New Jersey. Exhibitors can cure the evil themselves, he insists.

Talking for himself Reade says that he doesn't want two bad pictures for one good one and that if a picture is bad the exhibitor should not double it but should exploit it and build it up. He calls a dual program a "lame duck show."

Reade does not run a twin bill in any of his theatres, he says. "I don't want reductions in rentals, what I am after is product."

"I don't expect Adolph Zukor or Sidney R. Kent to tell me how to run my theatres. I can do that myself as long as these men give me product. If the pictures they give me are not topnotchers, I don't double them. Instead, I exploit the weak sisters for all they are worth." Doubles, he declares, only necessitate the purchase of new seats.

He has just completed product deals with Fox for the entire lineup in all his houses and with U. A. for all the output in 11 towns. He has an understanding with M-G-M which virtually gives him all of this company's films in most of his theatres.

Exploitation on Exhibit

Samples of Warners' exploitation work will be placed on display at the Advertising Club of New York next month. Tieups on "Anthony Adverse" and "Six-Day Bike Rider" are included. The exhibit will later be transferred to Columbia and Fordham Universities, where it will be used in connection with classroom instruction on sales promotion.

Hungary Film Producing Is Showing Gain

By ENDRE HEVESI

BUDAPEST, Aug. 16.—With government support several Hungarian concerns have recently produced all-Hungarian films. Production is gaining, with the only modern plant available, the government-owned Hunnia Studio, leased for months in advance.

Independent producer - distributors have asked the government to give them 10 gratis contingent tickets, that is, allow the untaxed import of 10 foreign pictures for every picture produced by them here, but the Ministry of the Interior has refused this request on the ground that there is no reason to give them an advantage of other distributors.

M-G-M has given up its lease on the Radius, one of the best houses in the city. It has been taken over by Bela Pasztor, former Paramount publicity manager.

Four American pictures have just been banned by the Hungarian censors. They are M-G-M's "Mystery of Mr. X" and three Paramounts, "Girl Without a Room," "White Woman" and "Duck Soup," all were rejected by the Budapest censors. "Men in White," which made a great hit on the Budapest stage, was permitted only for adults over 16.

Germans View 221; 68 Are U. S. Films

WASHINGTON, Aug. 16.—Germany censored 221 features during the 1933-34 season, states a report to the U. S. Department of Commerce from Trade Commissioner George R. Canty in Berlin. One hundred seventeen were German films, 68 American and 36 other foreign pictures.

In the 1932-33 season, 205 were censored: 133 German, 43 American, and 29 other foreign films. The 1931-32 figures were 237 censored: 139 German, 62 American, and 36 other foreign pictures.

During the past season foreign films accounted for 37 per cent of the total as against 35 per cent in the previous season, and 42 per cent in the one before that.

Industry in India Seeks Film Duties

BOMBAY, Aug. 16.—A demand for duties on film imports will be made in the forthcoming Legislative Assembly, due to convene shortly.

B. V. Jadhav, a member of the assembly, says the industry needs the help of the government if it is to compete with importations that are shown to a large extent in India.

Prague Has 208 Firsts

WASHINGTON, Aug. 16.—Two hundred eight first run films were shown in Prague, Czechoslovakia, during the 1933-34 season, says a report from Commercial Attache Sam E. Woods to the U. S. Department of Commerce.

German pictures represented 40 per cent; Czech, 16 per cent; French, 14 per cent; American, 13 per cent; British, nine per cent, and "others" eight per cent.

Looking 'Em Over

"Beggar's Holiday"

(Tower)

No better than so-so, "Beggar's Holiday" may get by on double-feature programs at neighborhoods. The main trouble with it is that it doesn't entirely make sense. In addition, the acting, save for that of Hardie Albright, is routine. The picture has the saving grace, however, of nice settings and a mild sense of humor.

Sally O'Neil, the daughter of a tugboat captain, takes up with Albright when she loses her job as a taxi dancer. Albright, facing trial as an embezzler, is planning to skip the country. In the two weeks before he sails he plans to make whoopee on a grand scale, and Miss O'Neil is to help him make it.

The understanding is that no love must enter into the matter. The expected of course happens, and when the time comes to part the pair discover that they are passionately in love with each other. Albright tells her the truth about himself, takes his medicine and is sentenced to a year in prison. Paroled, he vows to go straight and gets himself a job as a deck hand. Again true love conquers all.

J. Farrell MacDonald and Barbara Barondess are also in the cast. Sam Newfield directed. Running time, 60 minutes.

Academy Will Study New Industry Ideas

HOLLYWOOD, Aug. 16.—Recognizing the fact that there is no machinery within the industry to consider new developments of a scientific and theoretical nature in relation to their application to production, the Academy Research Council has decided to establish a committee where such projects may be studied.

This means that anyone believing he has a new invention of interest to the industry can submit it to this committee for analysis, and the committee later will recommend it to studios or reject it.

Re-Sign Franklin, Evans

HOLLYWOOD, Aug. 16.—M-G-M has handed new long term contracts to Sidney Franklin, director, and Madge Evans.

Franklin recently directed "Barretts of Wimpole Street" and is preparing to do "Marie Antoinette."

Miss Evans is slated for one of the top spots in the Helen Hayes vehicle, "What Every Woman Knows."

Iwerks to Start Series

HOLLYWOOD, Aug. 16.—Ub Iwerks is about to launch a new series of "Comicolors," including 12 subjects in color combining human characters with cartoons. Among the subjects already selected will be "The Headless Horseman" of "The Legend of Sleepy Hollow."

In addition, Iwerks is finishing foreign versions, and in some instances is making 17 separate versions on each subject.

Princess Gets $250,000

LONDON, Aug. 16.—Princess Irena Youssoupoff gets $250,000 in settlement of her libel litigation against M-G-M over "Rasputin and the Empress," it was revealed today by Fanny Holtzmann, one of her attorneys.

Miss Nixon Bride Again

YUMA, Ariz., Aug. 16.—Marian Nixon became the wife here today of Director William Seiter. She received her divorce decree from Edward Hillman three days ago.

Guild Will Publish All Writer Credits

HOLLYWOOD, Aug. 16.—Retaliating for the Academy's recognition from producers of their code of fair practice for writers, the Writers' Guild, beginning with the next issue of the actor-writer magazine, will list all writing credits each month.

This is the service upon which the Academy based its claim for recognition from producers. It announced some time ago that it would issue a bulletin each month showing all writing credits.

Para. Gets Two Stories

HOLLYWOOD, Aug. 16.—Paramount has lined up two future vehicles for the team of Charley Ruggles and Mary Boland with the purchase of "Kayo Oke," a magazine story by Sophie Kerr, and "Such a Lovely Couple," authored by F. Hugh Herbert.

"Kayo Oke" will probably be the first to go before cameras.

Pete Smith to Take Rest

HOLLYWOOD, Aug. 16.—Pete Smith M-G-M short subject commentator, will complete the new season's short program by Sept. 3 and will take a two-month leave of absence.

He is slated to make a trip to New York on a Panama Pacific liner with Mrs. Smith for a visit with his family. Seven years ago he was a publicity director in the eastern city.

"Love Time" Title Set

HOLLYWOOD, Aug. 16.—"Love Time" has been set as the definite release title on Fox's "Serenade," topping Pat Paterson, Nils Asther and Herbert Mundin. James Tinling is directing the film, which deals with the romantic life of the composer, Franz Schubert.

To Hear Schreiber Case

DETROIT, Aug. 16.—Following denial for a motion for dismissal Jacob Schreiber's anti-trust suit against Co-operative Theatres has been referred to U. S. Master in Chancery Sayres by Judge Monet. A hearing is expected at an early date.

Chadwick Sees Agreement on Purity Seals

(Continued from page 1)

ordered dual clauses out. Chadwick said he is pretty certain that the newest independent squawk will be settled favorably.

When he gets back on the coast he plans to go over the revised clearance schedule for Los Angeles. Chadwick returns to New York Sept. 18 when the schedule comes up for protest.

Johnston Refuses Breen Peace Offer

(Continued from page 1)

code it must be an industry code, promulgated and enforced by Code Authority, he insisted.

This left the situation just about where it was 24 hours before when Johnston said the independents would take the matter before Campi next week.

"We will not let any organization with ideas that are at such wide variance with our own set itself up as a censorship board," he declared. "Independents are in favor of the decency campaign, but Campi should be the final court of appeal."

Griffith, Falls Will Take in 103 Houses

(Continued from page 1)

Rex, Hobbs, New Mexico, 750 seats; New Cactus, Carlsbad, New Mexico, 800. The last house was opened July 29; the New Lindsay, July 30, and the New Rex, July 31.

A consolidation recently was effected between Griffith and Exhibitor Hodge in Midland, Texas. The former previously owned the Yucca and the latter the Ritz.

The six theatres the circuit will acquire will be in Texas and Oklahoma. Griffith and Falls expect to be here another four weeks completing product and preliminary theatre deals.

Lloyd to Continue Single Film Deals

(Continued from page 1)

opened at the Music Hall yesterday and which brought Lloyd to New York.

"For eight years I made individual distribution deals with Paramount and 'The Cat's Paw' is my first through Fox. What I will do with my next picture cannot be prophesized at this time."

The comedian plans to leave for the coast within the next three weeks.

Fairbanks Flies West

NEWARK, Aug. 16.—Douglas Fairbanks left Newark Airport by plane today to attend the funeral of his sister-in-law, Mrs. John Fairbanks, in Denver. He will continue on to Hollywood after the services.

McCrea to Hunt by Plane

HOLLYWOOD, Aug. 16.—Joel McCrea and Henry Stephenson have chartered a plane for an air hunting trip into Mexico.

"CRIME WITHOUT PASSION"

PRODUCED
WRITTEN AND
DIRECTED BY

**BEN
HECHT**

**CHARLES
MACARTHUR**

A PARAMOUNT RELEASE
PRODUCED AT EASTERN SERVICE STUDIO

"CRIME WITHOUT PASSION"

Produced at

EASTERN SERVICE STUDIOS

INC.

THE LARGEST
AND BEST
EQUIPPED STUDIOS
IN THE EAST
COMPLETE MODERN
FACILITIES
HIGHLY TRAINED
TECHNICAL STAFF

ASTORIA, LONG ISLAND
EXECUTIVE OFFICE AT 250 WEST 57TH STREET, NEW YORK
WESTERN ELECTRIC SOUND SYSTEM

School Head Favors Child Film Studies

Chicago, Aug. 16.—Education of children to a critical appreciation of pictures so that censorship extension will be unnecessary is the aim of a plan sponsored by Otto F. Aken, superintendent of schools of Cook County.

Aken's plan, which will be put into effect with the opening of the fall school term, is predicated on the idea that it is possible, through proper instruction, to so educate the public to good pictures that the bad ones will stand out in relief as bores. Behind this is his thought that censorship and drastic action brings only temporary relief from a situation such as is being highlighted from other sources at present. In the development of critical and intelligent audiences he foresees the elimination of offensive films because public interest has been educated away from them.

Superintendent Aken sums up his plan in the following words: "It is not our purpose to say that one movie is good and another bad. Proper education will lead the children to decide that for themselves."

While Superintendent Aken is away on a vacation the chairman of the committee which will put the new program into effect is engaged in research work in connection with the plan at the University of Illinois. Other members of the committee, most of whom are also on vacations, have been instructed to have ideas ready for the formulation of a complete working program to be evolved at a meeting scheduled for the latter part of August.

Cleric Sees Danger In Drive on Films

Chicago, Aug. 16.—That "education psychology" is the answer to the current clean film problem is the opinion of the Rev. William D. McLean, rector of St. Mark's Protestant Episcopal Church here. In line with Superintendent of Schools Aken, the clergyman stresses education as the primary film angle in a message to his parishioners.

"We find ourselves in the very midst of the throes of reform," he asserts. "The clergy of the country are uniting to crusade against the industry in the Legion of Decency. Priest, minister and rabbi have finally decided there is much need of reform where the cinema is concerned and are perfectly right in their indignation.

"There is danger in the 'crusade psychology' of such movements as the Legion of Decency; we sincerely trust it is not just a fad. What we believe we need most is an education in the cultural things of life; men and women should be able to decide for themselves whether or not they want to see a particular movie or read a particular book"

Cohan Ready to Start

George M. Cohan starts work in "Gambling" in about 10 days at Eastern Service Studio. This will be a Harold B. Franklin Prod. which Fox will distribute.

Predicts Film Gain From Church Drive

Cincinnati, Aug. 16.—Pictures hereafter will be more, rather than less, interesting because the reform movement is compelling producers to take more pains with their films and invade new territory, is the opinion expressed by Dr. Raymond Walters, president of the University of Cincinnati, in a message from Hollywood, where he now is visiting.

"I believe the producers were taking the easiest road, one following another," he says. "Now they are being driven into fields where there is a vast amount of likely screen material that never has been touched. The field of historical pictures is an example. In my opinion this never has been explored. Films need not become vapid, namby-pamby or Pollyanna-like in order to meet the demands of that section of the public which has been clamoring for a cleanup."

Vatican City, Aug. 16.—Italian film fans are taken to task by *Osservatore Romano*, official organ of the Vatican, for failing to cooperate in the Catholic drive against objectionable films.

Delay Cincy Reopening

Cincinnati, Aug. 16.—Reopening of the RKO Grand, set for Friday, has been postponed to around Sept. 1, to permit improvements, which probably will include new sound equipment.

It is likely that the RKO Capitol will be reequipped with sound of the latest design before reopening in September.

Ken Maynard to Sing

Hollywood, Aug. 16. — Harold Lewis and Bernard Grossman are composing three songs for Ken Maynard to yodel in his new western for Mascot, "Down by the Old Santa Fe," scheduled to start Sept. 8. Maynard is now on a vaudeville tour in the East.

Tom Keene in Town

Tom Keene is in town for a week's vacation, having completed a role in King Vidor's "Our Daily Bread." He has been signed for two more Vidor pictures, titles of which have not been set.

While here he is taking in the sights and spending some time with fan magazine interviewers.

Mulhall Gets District

Wilmington, Aug. 16.—Jack Mulhall, former manager of the Arcadia, a Stanley-Warner first run, has been named manager of the Wilmington district, comprising Wilmington, Chester, Pa.; Upper Darby, Pa.; West Chester, Pa., and Lansdowne, Pa. He succeeds Lyle Trenchard.

Austgen to New York

Akron, Aug. 16.—Ernie Austgen, for several years manager of Loew's, has been called to New York for assignment to another of the circuit's houses. Jack Flex succeeds Austgen here.

Open at Fredericktown

Fredericktown, Pa., Aug. 16.—The Grand, dark for three years, has been reopened after redecoration and installation of new equipment.

Had It Fixed

Hollywood, Aug. 16.—Several months ago a thug broke into Edwin L. Marin's home and walked off with a lot of stuff, including his watch. Recently the cops notified Marin of an arrest and asked him to come down and identify some jewelry.

Marin collected the stolen goods, then he went up to the cell to get a glimpse of the prisoner.

"So you're the one," mused Marin.

"Yeah," piped the prisoner, "and that isn't all, guy, you owe me three bucks for having your watch fixed."

Alhambra to Start Milwaukee Openings

Milwaukee, Aug. 16.—Reopening of the Alhambra here Aug. 18 under the Fox banner is the start of the relighting of the town's Rialto. Warners' Strand is slated to reopen Labor Day and the Palace Aug. 31. In addition, Warners will reopen the Lake and Kusciuszko, neighborhood houses.

The Alhambra will offer an innovation with an 11-piece orchestra on the stage and Jack Stanley, maestro with Publix for seven years, as master of ceremonies.

Cockerill Gets Denham

Denver, Aug. 16.—Benjamin D. Cockerill, salesman for Universal at Salt Lake City and formerly a Warner manager, has been made manager of the Denham. Alan Cooper, who has been acting manager since the resignation of Louis Hellborn, will continue in an advisory capacity.

The Denham has boosted its top price from 40 to 50 cents, including tax. Other prices are 25 and 35 cents. The old low price of 15 cents for the second balcony has been dropped. This leaves only the Paramount among the first runs with a top less than 50 cents, the Paramount remaining at 40.

To Shoot Around Crosby

Hollywood, Aug. 16.—Paramount will be forced to shoot around Bing Crosby in "Here Is My Heart" when the picture goes into production Aug. 27, in order to allow the actor time for an appendicitis operation.

Boles in "White Parade"

Hollywood, Aug. 16.—John Boles gets the leading role in "White Parade," Jesse L. Lasky's next for Fox which will go into work the latter part of the month. Boles is now busy in "Music in the Air."

Para. Signs Two Writers

Hollywood, Aug. 16.—Paramount has signed two new writers, Frederick Stephani, to adapt "All the King's Horses," a musical to star Carl Brisson, and William Drake, to do a treatment on "Shoe the Wild Mare."

RKO Wins the Title

RKO has won the M. P. Baseball League championship. The final game resulted in a 6-0 victory over Rockefeller Center, Inc., at George Washington field.

Decide Tax Is Not Reckoned In Admission

Cincinnati, Aug. 16.—Chester R. Shook, former Common Pleas judge, selected as umpire in the deadlocked arbitration case of Paramount vs. W. C. Chesbrough, operating the Salem, at Dayton, has upheld Paramount's contention that the 10 per cent state admission tax does not constitute a part of the admission, and thus determine availability.

The contract, entered into prior to enactment of the tax law, specified 45 days' availability on a 20-cent top admission, and 60 days when the scale was less than that figure.

Defendant advertised a price of 20 cents, plus two cents tax, with a supplemental line; "We pay the tax," Paramount called this an 18-cent admission, thus setting the availability back to 60 days. Defendant, however, refused to play pictures unless a 45-day availability was granted, basing his position on the claim that the admission was 20 cents under the procedure he was following.

The umpire interpreted the admission as 18 cents. This is said to be the first case of its kind to come up in Ohio.

Court Enjoins ½% Tax in Washington

Seattle, Aug. 16.—The Washington state tax commission has been enjoined by court order from enforcing the state business tax law of one-half of one per cent against the gross revenues of film exchanges.

The suit against the state was brought by Paramount and seven other national distributing companies. Judge John M. Wilson of the Thurston County Superior Court, in ruling for the plaintiffs, held the tax to be a direct burden on interstate commerce and would be invalid.

Mayor Walmsley and GSTA Talk Over Tax

New Orleans, Aug. 16.—Mayor T. Semmes Walmsley has conferred with a committee of Gulf States Theatre Owners' Assn. on the admission tax measure now pending before the Commission Council, but has given no indication of his stand. It is believed the ordinance is almost certain to pass.

The committee included Rodney Toups, H. S. McLeod, Norman L. Carter, Joe Alsian, Harry Schulman, Bert Kiern and Frank Heidrich.

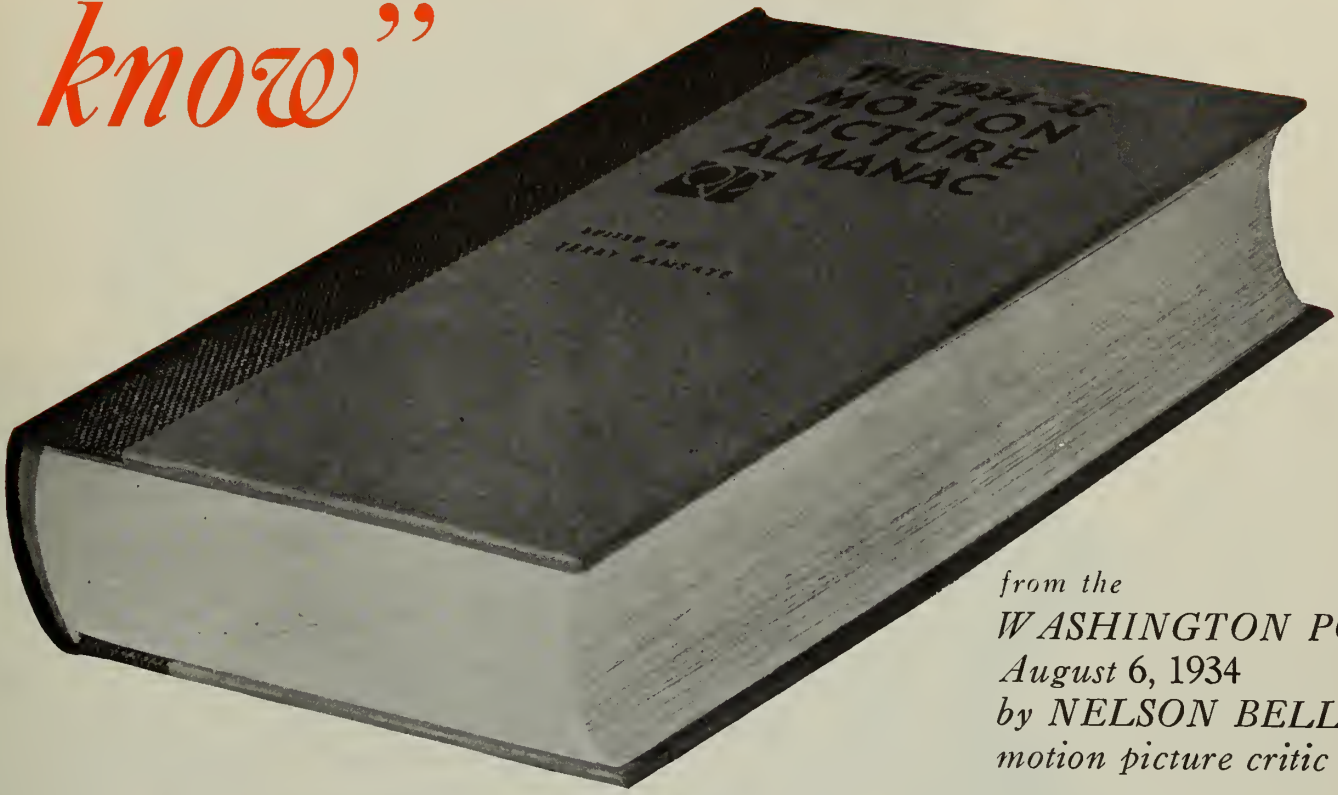
Shift Warner Titles

Hollywood, Aug. 16.—A switch of picture titles at Warners places "Happiness Ahead" as the release title on "Gentlemen Are Born," starring William Powell. The latter title has been tacked on to "Just Out of College," which top spots Franchot Tone and Jean Muir.

F. W. Huss to Canada

Cincinnati, Aug. 16.—Frank W. Huss, Jr., executive head of Associated Theatres, operating a local circuit, and member of the clearance and zoning board, has left for a 60-day visit in Canada to escape hay fever.

"One of the most valuable reference works I know"



from the
WASHINGTON POST
August 6, 1934
by NELSON BELL
motion picture critic

"I wish to take this opportunity publicly to acknowledge receipt of the 1934 issue of the Motion Picture Almanac, compiled by the Quigley Publications, one of the most valuable reference works of which I know. The book consists of 1,114 pages, closely packed with every conceivable type of information of value to a motion picture editor, from brief biographies of the stars to complete analysis of the financial structure of the motion picture industry. The Almanac is edited by Terry Ramsaye, foremost in his field in the United States. Thank you, Mr. Quigley, Mr. Ramsaye, and you, too, Managing Editor Ernest A. Rovelstad, because I suspect it was you who actually put it in the mail for me. If I didn't think you all had one already, I'd send you a book some time!"

MOTION PICTURE ALMANAC

1790 Broadway
New York

Walter Winchell On Broadway

(Trade Mark Registered) Copyright, 1934, Daily Mirror, Inc.

The drama in that story about Leslie Berger, now a bus boy at the Hollywood spot, is this: He is the only

…was in an act there (the …mas), now folded—and the restaurant is too lazy to change the lights out front!. Helen Morgan will be in demand after the "You Belong to Me" flicker is released.. Watch David J. Holt in it—the male S. Temple ..L. Alter, the com… and Hope Dare (who has a wild imagination)…

Hollywood

By SIDNEY SKOLSKY.

Aug. 12.

The Gossipel Truth

DAVID JACK HOLT is the name of your next favorite movie star . . . you'll see him when "You Belong to Me" gets to town . . . he isn't starred but it is his picture; he is the male Shirley Temple — only a better performer… the yarns about Merle Oberon and Joseph Sch…

THE Hollywood REPORTER

"YOU BELONG TO ME" SURE HIT; Direction, Writing, Cast O.K.; Boy Tops

"YOU BELONG TO ME"
(Paramount)

Direction ……………Alfred We…
Author……………Elizabeth A…
Adaptation: Grover Jones a…
Slavens McNutt.
Screen Play……………Walter D…
Photography ……………Leo To…
Cast: Lee Tracy, Helen Mack, He… Morgan, David Jack Holt, Arth… Pierson, Lynne Overman, Dean Jag… ger, Edwin Stanley, Irene Ware, Hugh McCormick, Lou Cass, Max Mack, Mary Owen, Rev. Neal Dod… Irving Bacon, Allan Fox, Eddie … den, Willie Fung, Jerry Bernar… Wally Albright, Frank Rice.

The Paramount picture, "You Belong to Me," is important for many reasons. First, it is … fundamentally … good, reliable characterization… and, second, it is the debut of one of the most remarkably capable child actors seen in many a moon—little David Jack Holt.

The other re… painstaking direction by Alfred Werker: a universally appealing story by Elizabeth Alexander; beautiful performances by Helen Mack, Lee Tracy and Helen Morgan, and general intelligence in the rest of the casting.

The picture hasn't a let-down, and its high moments are too many to recount. Hurrahs may be scattered indiscriminately throughout all the departments…

…honest appe… In spite of the brilliant work of Tracy, Miss Mack and Miss Morgan, the picture belongs without reserve to David Jack Holt, a minute little chap whose acting is distinguished by a tremendous sincerity. He plays the son of Helen Mack, a second-rate vaudeville entertainer, whose husband dies and who, through sheer loneliness and desperation, marries Arthur Pierson, another entertainer. David hates his new stepfather, and finally causes such a rift between them that he is packed off to a military school. Tracy plays the part of an actor, the pal of David and his mother, and the es…ged husband of the headliner …organ.

…Helen … Not much … Much credit goes … how it is handled! … Werker for his extremely … direction of little David. … well perform…

YOU BELONG TO ME

Drama 68 mins.

…FULLY DIRECTED, HAVING …L INGREDIENTS FOR HIT; YOUNG HOLT STARS

Plot: Lee Tracy, vaudeville hoofer, encourages Helen Mack in her stage comeback following her husband's death. Tracy formerly was partner to now famous Helen Morgan, who deserted Tracy because of his drinking. When Mack dies, Tracy and Helen Morgan decided … the child and … again.

Summary: ***Alfred Werker's brilliant direction and an outstanding performance by David Holt, together with exceptionally fine work by Tracy, Helen Mack and Helen Morgan places this picture far above the average. Young Holt will run Shirley Temple a close race for popularity. Play up H… Morgan in first screen…***

…Miss Marker.' Now Meet 'You've Met 'Little … Greater Than His Father.' Work up kid party. Run amateur night. Put long putty noses on Ballyhoo men and gag them to look like actors. Arrange appearance of local imitator of celebrities. …

Introducing DAVID HOLT

Adolph Zukor presents **"YOU BELONG TO ME"**

with LEE TRACY · HELEN MACK · HELEN MORGAN · DAVID HOLT

LYNNE OVERMAN · A Paramount Picture · Directed by Alfred L. Werker

Paramount Pictures

The Leading Daily Newspaper of the Motion Picture Industry

MOTION PICTURE DAILY

Alert, Intelligent and Faithful Service to the Industry in All Branches

VOL. 36. NO. 41 — NEW YORK, SATURDAY, AUGUST 18, 1934 — TEN CENTS

Only Judge's Order Shy in Fox Met Case

Judge Fails to Sign Routine Papers

Although he indicated in court yesterday morning that he would sign an order placing Fox Metropolitan Playhouses in bankruptcy under provision 77-B of the new laws, Federal Judge Julian W. Mack failed to do so up until a late hour last night.

After Archibald Palmer's petition for bankruptcy was objected to by attorneys for Irving Trust, receiver, on the grounds that it did not give them broad enough powers to continue operation of the Fox Met group, Judge Mack returned the petition for amendments which were added yesterday

(*Continued on page* 4)

Two of New Series For Time Finished

Time has completed two of what is planned as a series of 52 one-reelers dramatizing in celluloid form its nationally popular radio broadcast, "The March of Time."

Louis de Rochemont, long with Fox Movietone News and the Magic Carpet of Movietone organizations, is working on the production end in conjunction with Roy E. Larsen, a

(*Continued on page* 4)

Assemblyman Seeks Censorship Survey

ALBANY, Aug. 17.—Investigation of film censorship in this state so that the public "may enjoy cleaner and more wholesome motion pictures" is provided for in a resolution introduced today by Assemblyman Jay E. Rice, Republican, Queens.

The resolution provides for the creation of a joint legislative committee and an appropriation of $25,000. It was referred to the Ways and Means Committee.

Fear 10% Admission Levies in Louisiana

BATON ROUGE, La., Aug. 17.—Reports here indicate that the state legislature, dominated by U. S. Senator Huey P. Long, will extend the act which now enables New Orleans to tax amusements 10 per cent for unemployed relief, so that other municipalities in the state will have the same

(*Continued on page* 3)

Alleged Discrimination in Code Seals Due for Check

WASHINGTON, Aug. 17.—Following a requested investigation of the Hays office today by an independent producer who alleged discrimination is being practiced in the issuance of production code seals, Division Administrator Sol A. Rosenblatt's office stated the NRA official will confer with Hays officials on the charge.

Rosenblatt was informed that nonmembers of the Hays organization have been voluntarily submitting their pictures for censorship and have been accorded certificates, but get no seal which can be shown on the screen.

Since it was stated the rules of the organization prohibit the showing of pictures without seals in any theatre owned by a Hays association member company, it was charged that the independents are being kept out of many houses, particularly product of Monogram and Universal.

The name of the complaining company was not divulged.

Local 306 at Work on New Season Pacts

With present union contracts expiring on Sept. 1, Local 306 is negotiating new deals with exhibitors now employing I. A. T. S. E. men.

A drive is also under way by the union to line up theatres employing other union operators. Within the last week, the De Luxe, Fenway and Lido in the Bronx have joined the union after considerable picketing. The Taft, Flushing, and Rugby, Brooklyn, are now being picketed.

Trio-Consolidated houses not employing Local 306 men and the Brandt circuit are understood next in line for picketing by the I. A. T. S. E. affiliate. It is possible that 30 Trio-Consolidated houses may sign up before a picketing campaign gets under way. The houses in question are now using Empire State men.

K. C. Groups Demand Check On Petition

KANSAS CITY, Aug. 17.—Balked by refusal of the local grievance board to strike off the signatures of six Kansas City exhibitors from a petition banning premiums in a six-county area after Oct. 27, a small group of exhibitors opposing the ban will make the next move when they check the signatures of those voting for it.

E. S. Young and others favoring premiums have created considerable furore over whether the vote is legal. In a letter to the grievance board Young demanded to see the original petition for the purpose of checking the names. The petition has been forwarded to Code Authority for certification and is expected back soon.

Jay Means, grievance board member and I. T. O. president, who took

(*Continued on page* 4)

B'way Picks Up; Operators Hope Better Days Are Here

Unable to account for the sudden shift but giving proper credit to the calibre of current attractions, circuit operators were encouraged yesterday by the sharp increase in grosses along Broadway. At the same time, they expressed the hope that business will stay at or near its prevailing level.

Harold Lloyd in "The Cat's Paw," his first picture in well over a year, opened big at the Music Hall Thursday and is reported to have turned in a lusty $15,000 for its opening day.

"Cleopatra," following its tony opening at the Paramount Thursday night, was running $100 an hour better than "I'm No Angel" and was heading for about $11,600 in its opening stanza, Paramount officials declared.

"Dames" ended at $7,100 for Thursday, its first full day. While this ran $1,500 under Warners' first enthusiastic expectations, the gross is nothing to make excuses over. Its

(*Continued on page* 4)

NRA Rejects Code Budget On Producers

Sol Rosenblatt Suggested Step Be Taken

WASHINGTON, Aug. 17.—Formal rejection by the Planning and Research Division, acting on a recommendation from Division Administrator Sol A. Rosenblatt, of the producer budget was announced today by the National Recovery Administration.

Investigation of the opposition to the budget filed by Campi showed a total of 37 complaints, including one from United Artists criticising the method of levying assessments which was followed by similar complaints from other companies.

Campi was today notified of the rejection of its budget and, while no thought has been given in Washington to the development of a new one, it is anticipated Code Authority will be asked to draw up another plan and submit it for consideration.

"Lab" Code on Cut Budget for 3 Mos.

WASHINGTON, Aug. 17.—Working further toward agreement on the code for the laboratory industry, NRA officials and members of the trade today settled that for a period of 90 days the code authority should work on a budget at the rate of $7,500 a year, slightly more than one-third of the

(*Continued on page* 4)

Cut in Taxes, Idea Behind Stanley Step

Merger of the Stanley Fabian Corp. and Stanley Crandall Corp. with the Stanley Co. of America is planned as a step to consolidate subsidiaries of Warners as part of a general move to make the parent company's tax structure less costly.

The merger will be voted on Aug. 23 and is a routine affair. Stanley Co. of America owns the two subsidiaries 100 per cent. Warners own Stanley Co. 99½ per cent.

N. Y. Senate Passes 1% Tax on Incomes

ALBANY, Aug. 17.—The Porter bill, providing for a tax levy of one per cent on gross incomes, was passed by

(*Continued on page* 4)

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Zukor in for Stay

HOLLYWOOD, Aug. 17.—Following Adolph Zukor's return here, Emanuel Cohen announced the Paramount executive will henceforth spend the greater part of his time on the coast.

Cohen also stated that the studio will have 30 pictures in production between now and Nov. 1, an average of one film going into work every two days.

The understanding has been general for some time that Adolph Zukor will spend most of his time in Hollywood keeping a "fatherly eye" on Paramount production.

Coming for Atmosphere

HOLLYWOOD, Aug. 17.—J. P. McEvoy left for New York yesterday to gather material and atmosphere around Ellis Island for Paramount's production of the Paul Hervey Fox story, "The Goddess."

Fairbanks at Funeral

DENVER, Aug. 17.—Douglas Fairbanks, Sr., attended the funeral of his sister-in-law, Mrs. Margaret Fairbanks, here today. He flew in from New York.

Zanuck Enroute West

Darryl F. Zanuck, production chief of 20th Century Pictures, left yesterday by train for the coast. He will spend one day in Chicago.

Seeks a Film Test For New Reproducer

That his "audio projector," a device said to permit broadcast sound to reach the ear from a wide angle with increased realism resulting, is applicable to talking pictures as well as radio was asserted yesterday by Maximilian Weil, New York electro-acoustic consulting engineer.

The inventor said he planned within a month or two to take steps to interest the film industry in the device. Weil declared the "audio projector" would be especially advantageous in the reproduction of musical numbers, to which, he said, it would give a brilliance of tone and a fidelity to the original unobtainable under present methods used in the studios.

Through the use of the device, according to Weil, a group of musicians playing in a film would sound as though they were performing before the audience in the flesh.

The chief secret of the improved realism is said by the inventor to lie in the fact that the cabinet in which the projector is installed contains narrow vents around the edges through which the sound issues in every direction at once.

The device was recently demonstrated to a group of prominent musicians with what were said to be highly successful results.

Talbot Becomes Star

HOLLYWOOD, Aug. 17.—Warners will promote Lyle Talbot to stardom in a series of six action pictures to be made on the current season's program. The first will be "Racing Luck," an original which D. Ross Lederman will direct.

Contract for Kibbee

HOLLYWOOD, Aug. 17.—Warners have written a new long-term contract for Guy Kibbee with a tilt in salary. His next assignment will be in "Babbitt."

Warners Borrow Dunne

HOLLYWOOD, Aug. 17.—Warners today borrowed Irene Dunne from Radio for the lead in "Sweet Adeline." Mervyn Le Roy will direct.

Otterson Enroute Here

John E. Otterson, president of Erpi, is aboard the *Washington* which sailed from the other side on Thursday.

Claims Perfection In Synchronizing

BUDAPEST, Aug. 17.—Perfect synchronization of lip movement and sound was claimed to have been achieved here today by Karl Pulvari, young engineer.

His invention, an electrical machine, catches and holds for proper lip movement the basic vowel sounds, he says. It is claimed that, when his machine is used, it is impossible to detect a synchronized film from an original.

Two Reopenings Are Set in Pittsburgh

PITTSBURGH, Aug. 17.—Two August openings are scheduled. The Fulton, dark for seven weeks, will be reopened by Warners Aug. 24 with "She Learned About Sailors." L. B. Cool continues as house manager.

The Alvin will be reopened by Harris Amusement Co. Aug. 31 with special ceremonies at $1 top. The picture will be "Baby Take a Bow."

Pick Nominating Group

HOLLYWOOD, Aug. 17.—The executive committee of the assistant directors section of the Academy has named a nominating committee to pick candidates for a new executive committee to be chosen next month. On the committee are Sid Bowen, William Cannon, Horace Hough, Charles Kerr, Jay C. Marchant, William J. Reiter and Eric Stacey. Alternates are Bob Fellows, Doran Cox and Arthur Rose. Nominations will be made Monday night.

Shauer Estate $261,820

A valuation of $281,542 gross, with net assets listed at $261,820, was placed on the estate of the late Emil E. Shauer, former vice-president of Paramount International Corp., and a founder of Paramount Publix Corp., according to the transfer tax appraisal filed yesterday. Shauer died Nov. 16, 1933.

Mrs. Julia K. Shauer, his widow; Melville A. Shauer of Paramount, his son, and his mother are the three beneficiaries.

L. A. to Allow Smoking

LOS ANGELES, Aug. 17.—By a vote of 8-7 the City Council has passed an ordinance to permit patrons to smoke in fireproof balconies.

Columbia Up 1¼ on Big Board

	High	Low	Close	Net Change	Sales
Columbia Pictures, vtc	29	28⅜	29	+1¼	400
Consolidated Film Industries	2¾	2⅜	2⅜	— ⅜	400
Consolidated Film Industries, pfd	13¾	13⅝	13⅝	+ ⅛	100
Eastman Kodak	98⅜	98	98	— ¼	100
Fox Film "A"	10⅜	10⅜	10⅜	+ ¼	100
Loew's, Inc.	27⅝	27	27	—⅛	2,400
Loew's, Inc., pfd	91	91	91	+ ¾	100
Paramount Publix	3¼	3¼	3¼	.....	500
Pathe Exchange	1¼	1¼	1¼	.....	1,100
Pathe Exchange "A"	14⅝	14⅜	14⅝	— ⅛	100
Warner Bros.	4¼	4⅛	4⅛	— ⅛	1,000

Technicolor Off ¼ on Curb

	High	Low	Close	Net Change	Sales
Technicolor	11¾	11¾	11¾	— ¼	100

Pathe Bonds Up One

	High	Low	Close	Net Change	Sales
General Theatre Equipment 6s '40	7⅛	6½	6¾	— ¼	10
General Theatre Equipment 6s '40, ctf	6	5¾	6	+ ½	15
Loew's 6s '41, ww deb rights	101	101	101	.....	4
Paramount F. L. 6s '47	39½	39½	39½	+ ½	2
Paramount Publix 5½s '50	40	40	40	+ ½	5
Pathe 7s '37, ww	96½	96	96½	+1	2
Warner Bros. 6s '39, wd	54	54	54	.....	1

◀ Purely Personal ▶

TRUMAN TALLEY, LAURENCE STALLINGS, HERMAN GLUCKMAN, DICK ROWLAND, RALPH POUCHER, SAM SPRING, PERCY PHILLIPSON, SIDNEY SAMUELSON, JULES LEVY, HARRY COHEN, HARRY ARTHUR, and ABE WAXMAN did their lunching at the Tavern yesterday.

LOUIS L. LISSNER, former advance man for Fanchon and Marco, is now a restaurateur. He is operating Ye Old Fashioned Bar and Grill in the Times Square area.

CHARLES LAMONT, director of "Gigolette" at the Biograph studios, talked himself out of a ticket for speeding yesterday while on his way to WOR to broadcast.

LEONARD GAYNOR of the Fox publicity department is enjoying a vacation on his farm at Glen Gardner, N. J.

DAVE PALFREYMAN is off to Chicago and modest vacationing in northern Indiana. He hails from the latter section.

HARRY COHEN, western district manager for RKO, has been in town eight weeks and with the end not yet in sight. He's on a deal with F. W. C.

FRANK LAWTON is in town for a two-week vacation before starting work in "David Copperfield" for Fox.

N. K. LODER, secretary of Majestic, returned yesterday from a tour among franchise holders.

ARTHUR LOEW and MORT SPRING return Monday from a 10-day cruise in Loew's yacht.

JEFFREY BERNERD and ARTHUR LEE are in Saratoga for the races and the week-end.

MILTON WEISS sails today on the *Monarch of Bermuda* on a vacation.

SAM MORROS of Campi has returned from Buffalo.

MOE STREIMER has returned from a trip upstate.

Agency Code Unfinished

LOS ANGELES, Aug. 17.—The agency code committee last night was unable to conclude its code of fair practice. Another meeting will be held next week.

Victor Zobel Recovering

HOLLYWOOD, Aug. 17.—Victor Zobel, Mascot supervisor, is resting satisfactorily following an appendicitis operation performed at Cedars of Lebanon Hospital.

Stunt Men Seek Rise

LOS ANGELES, Aug. 17.—Stunt men today petitioned the extras' standing committee for more pay for dangerous assignments.

"Fair" for Criterion

"State Fair" goes into the Criterion Monday for a return Broadway engagement. Educational's "Krakatoa" will be part of the program.

Tryon Turns Director

HOLLYWOOD, Aug. 17.—Radio has given Glenn Tryon a long-term optional contract as a director. His first will be "The Kick Off."

"Empress" Top in Slump at Montreal

Montreal, Aug. 17.—"The Scarlet Empress" proved good enough at the Capitol, all things considered, to merit a holdover with the box office result of $6,000 after drawing $7,000 the previous seven days. At the Palace, the gross moved up to $7,500 on "Grand Canary" and "Charlie Chan's Courage" to lead the week. The two British pictures, "Constant Nymph" and "Happy Ever After," brought the old countrymen to the Princess for a take of $5,000, while Loew's had the same for "A Modern Hero" and "The Personality Kid."

Total business was $27,000. Average is $43,000.

Estimated takings for the week ending Aug. 11:

"THE SCARLET EMPRESS" (Para.)
"THE OLD-FASHIONED WAY" (Para.)
CAPITOL—(2,547), 25c-35c-40c-50c-60c, 7 days, 2nd week. **Gross:** $6,000. (First week, $7,000. (Average, $9,000)

"RED WAGON" (British)
IMPERIAL—(1,914), 25c-40c-50c, 7 days. Stage: Vaudeville and Lee Shelley's Orchestra. **Gross:** $3,500. (Average, $6,500)

"A MODERN HERO" (Warners)
"THE PERSONALITY KID" (Warners)
LOEW'S—(3,115), 25c-35c-50c-65c, 7 days. **Gross:** $5,000. (Average, $10,500)

"GRAND CANARY" (Fox)
"CHARLIE CHAN'S COURAGE" (Fox)
PALACE—(2,600), 25c-35c-50c-60c-75c, 7 days. **Gross:** $7,500. (Average, $11,000)

"THE CONSTANT NYMPH" (British)
"HAPPY EVER AFTER" (British)
PRINCESS—(2,272), 25c-35c-50c-65c, 7 days. **Gross:** $5,000. (Average, $6,000)

Film Group Sailing

Film and stage folk are well represented on the passenger list of the outgoing *Ile de France* which sails today.

Among them are Constance Bennett, Beatrice Lillie, Eric Charrell, Al Santell and William Beaudine and their wives, Gladys Henson, English actress; John W. Alicoate, publisher of *Film Daily;* Madeline Kileen and J. J. Phillips, song and dance team; Naomi Ray, Art Clifton and Edgar Harrison, comedy team, and the Radio Rogues.

Schiller Back Shortly

Edward A. Schiller, vice-president of Loew's, Inc., may be back in New York and on the job in about four weeks, according to Louis K. Sidney, Loew executive. The latter said yesterday he had met Schiller's physician, who was authority for the statement. Schiller is in Hollywood recuperating from a long illness.

Consolidated Dividend

Consolidated Film Industries, Inc., has declared a dividend of 50 cents on account of accumulations on the cumulative preferred stock. The dividend is payable Oct. 1 to stock of record Sept. 10. This leaves accumulations of $3.50 on the issue.

Jolson in Chicago Stop

Al Jolson, who left New York yesterday on the 20th Century, will stop over in Chicago long enough to be guest of honor at the *Chicago Tribune* Music Festival at Soldiers' Field.

Hicks a Couturier

Frank H. Hicks, long connected with Fox theatres in New York and elsewhere, has become a couturier. It's one of those places for gowns, uniforms, costumes for show people and others.

Looking 'Em Over

"Crime Without Passion"

(Hecht-MacArthur Prod.-Paramount)

Ben Hecht and Charles MacArthur, occasional playwright co-workers, make their maiden bow as film producers on their own in "Crime Without Passion."

The pungency of their style, their flair for the dramatic, the realistic and the bunkless have their way and their say. The result is an intelligent motion picture, replete with nuances for intelligent people and perhaps limited in its appeal for the rank and file in the provinces. But there is another perhaps, for it may be that, while the fine points will soar over the heads of the mob, there will prove to be sufficient in story highlight to catch the routine fancy.

"Crime Without Passion," written, produced and directed by Hecht and MacArthur with Lee Garmes, expert cinematographer as associate of the entire production, deals largely with the mental. It probes into the analytical workings of a nearly criminal brain, that of Lee Gentry (Claude Rains), shows how this legal and crooked "champion of the damned" becomes enmeshed in diabolical calculations sprung from his own head and so meets his death in the electric chair for murder.

Anyone familiar with the type of stuff Hecht and MacArthur forge from their typewriters might expect the creation of a character that flouts his insolent disregard for accepted rules of society. Rains, as Gentry, proceeds on such a philosophy, saving the lives of men he knows are guilty of crime because he gets a kick out of it, but finding the lesson to be drawn from it all is that the game isn't worth the name: he loses his own life as payment exacted for an accidental attempt to murder an ex-sweetie (Margo) and a frenzied shooting of the man (Stanley Ridges) from whom Rains stole her.

Rains' method of covering his tracks after leaving the girl's apartment in a move to establish his alibi, how he thinks he has cleared himself only to find circumstance has dictated otherwise and his quick undoing follow through with a dramatic wallop and a rising tide of emotional excitement that, we think, will pass on their impact to the audiences that will shortly see it.

The treatment of the whole and the performance by Rains have bite, vigor and substance which stamp "Crime Without Passion" as one of the most interesting pictures this reviewer has seen in considerable time.

The effort, first from this new team of producers, is largely intriguing in that it indicates Messrs. Hecht and MacArthur have something to deliver. That something, present in their initial picture, may require another picture or two to take more definite form. It and they bear watching.

KANN

MOTION PICTURE DAILY'S HOLLYWOOD PREVIEW

"Iris March"

(M-G-M)

Hollywood, Aug. 17.—Marred by haphazard plot movement, rendering the story somewhat confusing throughout, this film emerges limited in entertainment values despite capable, name cast portrayals. The production neither conforms to Michael Arlen's story, "The Green Hat," on which it is based, nor has it originality all its own. The preview reaction reflected the film's scattered story thread.

The plot involves the romance between Constance Bennett and Herbert Marshall. Their marriage is blocked by Henry Stephenson, Marshall's father, who fears that the union will ruin his son's career in diplomatic circles because of class distinction and because of the fact that Miss Bennett's father died a drunkard and her brother, Hugh Williams, is following suit. While Marshall is in India, Miss Bennett becomes engaged to Ralph Forbes and subsequently marries. Following this, Forbes jumps out a window to his death. Suspense centers on the suicide motive.

Years of disillusionment find Miss Bennett living a careless life with love still existing between her and Marshall, who has married Elizabeth Allen in the meantime. Ultimately Williams dies and Miss Bennett becomes ill.

The climax finds Marshall discovering the reason for Forbes' suicide was because Miss Bennett had discovered him as an escaped convict. Reconciliation is never effected and Miss Bennett kills herself in an auto wreck.

Direction by Robert Z. Leonard satisfies. Running time, 80 minutes.

(Additional preview on page 4)

"Navy" Leads Gain In Portland Spots

Portland, Aug. 17.—With the long waterfront strike over, business is picking up here. Four first runs topped par last week, with "Here Comes the Navy" leading the procession at $3,800 in Hamrick's Music Box.

"One More River" and "Murder in the Private Car" were $500 up at $5,500 in the Broadway; "Let's Try Again" and "Friends of Mr. Sweeney" were strong at $2,500 in Hamrick's Oriental.

Total first run business was $22,800. Average is $22,000.

Estimated takings for the week ending Aug. 9:

"ONE MORE RIVER" (Univ.)
"MURDER IN THE PRIVATE CAR" (M-G-M)
BROADWAY—(1,912), 25c-35c-40c, 7 days. **Gross:** $5,500. (Average, $5,000)

"HERE COMES THE NAVY" (Warners)
HAMRICK'S MUSIC BOX—(2,000), 25c-35c-40c, 7 days. **Gross:** $3,800. (Average, $3,000)

"LET'S TRY AGAIN" (Radio)
"FRIENDS OF MR. SWEENEY" (War.)
HAMRICK'S ORIENTAL—**Gross:** $2,500. (Average, $2,000)

"IMPORTANT WITNESS" (Tower)
PANTAGES—(1,700), 15c-25c, 7 days. Stage show. **Gross:** $1,800. (Average, $2,000)

"THE OLD FASHIONED WAY" (Para.)
"SHE WAS A LADY" (Fox)
PARAMOUNT—(3,008), 25c-35c-40c, 7 days. **Gross:** $5,200. (Average, $5,000)

"GIRL FROM MISSOURI" (M-G-M)
UNITED ARTISTS—(45), 25c-35c-40c, 7 days. **Gross:** $4,000. (Average, $5,000)

Fear 10% Admission Levies in Louisiana

(Continued from page 1)

power, and will change the act so that the money will be distributed through Federal agencies.

This move is regarded as a real menace to Louisiana theatre men. Hitherto, the threat had been only in New Orleans, where a committee of three from the Gulf States Theatre Owners' Ass'n. was to confer with the mayor yesterday on the proposed city ordinance. In view of state action the mayor cancelled the meeting.

Traco Theatre Dividend

Traco Theatre yesterday declared a dividend of $3.50 per share on account of accumulations on the 7 per cent preferred stock. After this payment such accumulations will be $12.25 per share.

Finish Educational Film

Production was completed yesterday at the Eastern Service Studios in Astoria on "Big Business," two-reel musical produced by Sam Baerwitz for Educational.

Goes First Run Soon

Buffalo, Aug. 17.—Charles Hayman will open the Great Lakes, Sept. 1, as a first run house. "One Night of Love" will be the opening attraction.

Lober Sailing Today

Louis Lober, head of M-G-M's activities in Egypt, sails for home today on the *Rex* after several weeks in New York.

Spingold Returns Today

Nate Spingold arrives from Chicago today. He was on the coast for several days conferring with Harry Cohn.

K. C. Groups Demand Check On Petition

(Continued from page 1)

the vote himself, told Motion Picture Daily he saw no reason why anyone who had assented to the code and paid the assessment should not be permitted to check the vote. The premium users credit Means with chief responsibility for the board's refusal to honor their request to withdraw the six exhibitors' names.

It is estimated that there are 71 unaffiliated theatres in the area eligible to vote. It is understood 56 of this number and all affiliated houses with the exception of the Publix Newman and the RKO Mainstreet voted for the premium ban.

In event the protestants win their fight to withdraw the six names, which appears highly unlikely, the petition would require 18 other signatures to compensate for the loss, on the basis of the 75 per cent required vote.

"Lab" Code on Cut Budget for 3 Mos.

(Continued from page 1)

original $21,000 budget proposed. Within the 90-day period it is anticipated the authority will have lined up its work and know just how much money it will need for permanent operation.

An agreement was also reached on the question of newsreels, whereby companies handling that type of work are given a leeway of four hours' overtime before they are required to give employes overtime pay. It was also settled that two weeks' vacation with pay annually shall be given all employes who do not receive overtime.

Clearance Up Monday

Various problems dealing with clearance and zoning and grievances will be discussed by a joint committee, consisting of George Schaefer, R. H. Cochrane, Harold S. Bareford, Charles L. O'Reilly and Nathan Yamins, on Monday.

Managua House Opens

Managua, Aug. 17.—The Gonzalez Theatre, one of the largest in Central America, was opened here last night with M-G-M's "Fra Diavolo." The house, seating about 1,500, is fully equipped with all modern improvements.

Fan Mags Check Writers

Hollywood, Aug. 17.—Carrying out their agreement with studio publicity heads, fan magazines here are checking their lists of writers so that they can furnish an accredited list to the studios.

Benefit at Stadium

A benefit will be held at the Yankee Stadium on Thursday, Sept. 20, for the German-Jewish refugees. Many stars of the screen, radio and stage have promised to lend their services.

B'way Picks Up; Operators Hope Better Days Are Here

(Continued from page 1)

sponsors say a $50,000 week is well within reason at the rate the picture is traveling.

Louis K. Sidney refused to go into figures for "Treasure Island" at the Capitol, but he described opening day's business as "very big." In a chance street corner interview earlier in the day, he told another Motion Picture Daily reporter it looked like a "swell week for the Capitol."

"Handy Andy" went into its third week at the Roxy yesterday. In its second, the Rogers' picture grossed $25,900. Roxy operating officials are all smiles and satisfied with their current attraction.

"Bulldog Drummond Strikes Back" ended at $6,300 for its first day at the Rivoli. Business there is brisk and mounting.

Skouras Name Goes

St. Louis, Aug. 17.—The last visible link between the St. Louis theatre world and Spyros, George and Charles Skouras was removed a few days ago when workmen painted out the Skouras name from the top of the large electric sign in front of the Ambassador. The name was placed on the sign in 1926 and remained during control by Warners, Paramount and Central Theatres.

Two of New Series For Time Finished

(Continued from page 1)

vice-president of the magazine publishing company. Production is being centered at the Fox Movietone plant on 10th Ave.

"The March of Time" weekly broadcast from which the new series has drawn its idea is one of the phenomena of the radio field. Reenactment of highlights of the week's news in dramatic form, simulating the voices of world figures where called for is the crux of the formula.

De Rochemont was identified with a similar idea known as "The March of the Years," a series of two-reelers predicated on news sensations of other years. Columbia is distributing the latter series.

Col. Holds Bulgakov

Hollywood, Aug. 17.—Columbia has taken up its option on the services of Director Leo Bulgakov.

Breen Finishes His First Newsreel Clip

Hollywood, Aug. 17.—Joseph I. Breen has completed his clip for the newsreels at the Radio Studio. It is a three-minute number, the first of a series of six, in which he explains the production code seal work.

In subsequent clips he will attempt to clarify the self-regulatory measures adopted by the industry.

N. Y. Senate Passes 1% Tax on Incomes

(Continued from page 1)

the Senate today. The vote was 43 to three. The purpose of the measure is to provide funds for an additional $13,500,000 appropriation for school aid. The tax is expected to raise between $12,000,000 and $14,000,000 a year.

The Assembly is expected to take similar action on the measure when it is presented to it for approval.

MOTION PICTURE DAILY'S HOLLYWOOD PREVIEW

"Mrs. Wiggs of the Cabbage Patch"

(Paramount)

Hollywood, Aug. 17.—Tugging at the heart strings, alternating sobs with robust laughter and suffusing the audience with a mantle of well-being, this homespun entertainment seems bound for smashing box-office success. Taken from the famous play of yesteryear, its spirit rekindles a family drama extolling the virtues of courage, simple faith and humor in the face of adversity and, as such, the production should have a strong hearth-and-home appeal.

Simple as a linen sampler backgrounding its main title, the story weaves a pattern around the home struggle of Mrs. Wiggs, her brood of three girls and two boys, her absent husband (Donald Meek), her maiden lady neighbor (ZaSu Pitts), a picture bridegroom (W. C. Fields) and a romantic couple (Evelyn Venable and Kent Taylor).

Pauline Lord's performance in the name role is a gem of the finest ray, brilliant and inspiring. Her scene at the death of her boy (George Breakston) is superb artistry. Noteworthy also are Fields' explosive comedy, Miss Pitts' flutterings and Jimmie Butler's boyish charm. Norman Taurog's human direction plays delicately on the feelings.

The production, in the spirit of the 90's, is showmanship entertainment with moral values as well. "Mrs. Wiggs of the Cabbage Patch" looks like ready money, and Miss Lord looms as a new screen personality. Running time, 75 minutes.

Only Judge's Order Shy in Fox Met Case

(Continued from page 1)

afternoon. Judge Mack left the court without waiting for the amended petition, but later had his secretary bring it to his apartment, where he was expected to affix his signature.

While it is possible the judge may sign the order today, interests close to the Fox Met situation do not believe it will be signatured until Monday. However, this is a formality since it has been generally agreed upon by all parties that Judge Mack will have jurisdiction over the case in trusteeship. Irving Trust has been named temporary trustee and will post a $1,000 bond.

Palmer yesterday said he had won his fight when the bondholders' committee returned $9,000 in gold notes deposited by his clients, the Adler Brothers. With the return of these notes, the Adlers now become creditors and Palmer can come before the court on Sept. 12 and object to any new reorganization plan presented to Judge Mack.

Palmer yesterday told Motion Picture Daily he does not intend to work with the bondholders' committee on a new reorganization plan. He said he had won two vital points in his fight: the killing off of the Loew-Warner offer and elimination of a foreclosure sale. He said he will see to it that the bondholders, in drawing up a new plan, do not incorporate a clause giving them the right to sell the leases or properties to outsiders.

Milton C. Weisman and William E. Atkinson, co-receivers of Fox Theatres, which owns all of the $4,500,000 common and preferred stock of Fox Metropolitan, were in conferences yesterday on means of safeguarding their equity under the new reorganization plan.

If the bondholders' plan provides for an equitable settlement of Fox Theatres' claims there will be no objections raised.

However, Palmer pointed out that several contracts provided for in the old bondholders' reorganization plan will be subject to new negotiations before he approves the plan for his clients.

Fox Met Hearing Is Fixed for Sept. 12

Federal Judge Julian W. Mack yesterday set Sept. 12 as the date for a general creditors' hearing for Fox Metropolitan Playhouses.

At that time objections to reorganization plans submitted between now and that date will be heard in addition to permanent appointment of Irving Trust as trustee. Irving Trust has been equity receiver and is now temporary trustee.

FWC-Radio Deal Closed

F. W. C. has closed with RKO Radio for the entire 1934-35 lineup. Jules Levy, vice-president; Cresson Smith, western sales manager, and Harry Cohen, western district manager, for Radio, and by Spyros Skouras, Eddie Alperson and Jack Sullivan for F. W. C.

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NRA Changes Not to Shift Picture Code

A Stronger Enforcement May Be a Result

WASHINGTON, Aug. 19.—Reorganization of the NRA will have little or no effect upon the film code, it is anticipated in Washington, although plans for a permanent setup now being whipped into shape will eventuate in the strengthening of enforcement.

The organization eventually will be controlled by a commission, and will concern itself with problems of code administration. To bring this about and to amend the Industrial Recovery Act to assure better conformity between the law and the anti-trust statutes, it is anticipated Congress will be asked to pass new legislation early in the coming session.

It is not expected that results of the new plans will be reflected in codes much before the end of the year,

(Continued on page 11)

Midwestern "Rebels" Are Now Complying

Although it is believed the Iowa-Nebraska exhibitor units have been reconciled to signing code assents following a visit to Omaha by Division Administrator Sol A. Rosenblatt, no official communication to this effect has been received by Campi.

Exhibitors in Nebraska and Iowa are sending in compliances, but there has been no action from a unit or exhibitors as a whole.

Won't Fill Vacancy In Campi Hurriedly

Successor to the late Marie Dressler as a member of Code Authority on studio problems is not expected to be named for some time.

President Roosevelt originally named Miss Dressler to the code tribunal. It is up to him to name a successor.

Cases Reach 1,000

More than 1,000 cases have been heard by the 64 clearance and zoning and grievance boards, Campi headquarters estimates. The various boards went into action May 15 and are still hearing cases.

Church and Industry in Accord on Picture Drive

Product for Adults, Others For General Patronage Urged

A definite line of demarcation to denote pictures suitable for adults and those for children is advocated in Archbishop John T. McNicholas' letter to Will H. Hays, in which the chairman of the Catholic Bishops' Committee on Motion Pictures indicates his church is satisfied to allot reasonable time for decisions of Production Code Administration to become effective.

"Those who have thought the problem through are convinced that many pictures should bear approval for adult patronage, while others could well be approved for general patronage," the archbishop told Hays.

Code Costs on Gross Income Basis Likely

Revision of the producer-distributor assessment cost of $180,000 to provide for levies based on annual gross business is seen by code observers. Just what common denominator will be used for levying the individual tax will be up to the finance committee, comprising S. R. Kent, Nathan Yamins, Harold S. Bareford and Charles L. O'Reilly.

Within the past two weeks, 37 major and independent producers and

(Continued on page 11)

Production Activity Remains Unchanged

HOLLYWOOD, Aug. 19.—Production activity last week hovered around the same level as the previous three weeks with 37 features before the camera, 35 in final stages of preparation and 37 reposing in the cutting rooms. The

(Continued on page 10)

First Division Is in Shorts; Gets Audio

First Division will release a series of Audio Prod. "Musical Moods," according to a deal closed between W. A. Bach, president of Audio, and Harry Thomas, head of the distributing company.

A short subject sales force will be

(Continued on page 6)

Field Bodies To Hear Ills Are Scrapped

Campi's plan to set up appeal bodies in the field to hear protests on clearance and zoning schedules has been abandoned.

When Code Authority's clearance committee decided on July 26 to organize such bodies to hear protests on zoning schedules, it was believed then that Campi could not give each schedule the time required for hearings.

Only 16 schedules from key cities

(Continued on page 11)

Mack Signs Fox Met Bankruptcy Papers

After several changes in the petition submitted by Archibald Palmer, representing bonds of $9,000, Judge Julian W. Mack on Saturday signed an order placing Fox Metropolitan Playhouses in bankruptcy under provision

(Continued on page 6)

Allen, Cleveland, Is Part of 4-Way Pool

CLEVELAND, Aug. 19.—The Allen, until recently Cleveland's only independently operated first run, will be operated by a local committee under a pooling arrangement between RKO and Warner. Affected in the pool are the RKO Palace, the Allen, Warners'

(Continued on page 6)

Hays Reaches Basis of Understanding with Archbishop

Complete text of the Hays-McNicholas correspondence appears on page 6.

Significant for the cordiality their contents reveal, an exchange of letters between Will H. Hays and Archbishop John T. McNicholas, made public yesterday, indicates the Catholic Church willingly accepts the industry's promise of reformation at face value and will allot sufficient time to observe how the effects of the Production Code Administration assert themselves. The basis of an accord between the industry and the church, therefore, has been achieved.

The correspondence was couched in highly diplomatic language. While the archbishop, who is chairman of the Catholic Bishops' Committee on Motion Pictures which was appointed at

(Continued on page 6)

Saenger Bondholders Get $70,000 Melon

NEW ORLEANS, Aug. 19.—Bondholders of Saenger Realty Corp. and Saenger Theatres, Inc., have been given $70,000 as interest at six and one-half per cent for the period Nov. 1, 1933, to May 1, 1934.

The disbursement was made through a loan against deposited funds by

(Continued on page 10)

Publix Pools With 7 on Staten Island

Paramount is understood to have pooled the Paramount, Staten Island, with seven Isle Theatres there, the deal to become effective Sept. 1, with

(Continued on page 10)

May Use Fog Checks

Hollywood, Aug. 19. — Fog checks instead of rain checks will be in order when the new Los Angeles open air drive-in theatre gets under way. The theatre, now under construction, is situated in the Los Angeles fog belt, where fogs drop down without warning.

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Goes Independent

PROVIDENCE, Aug. 19.—The Paramount has gone back to its old independent policy under the former name of the Strand with Ed Reed continuing as manager and Al Marcello in charge of publicity.

Waxman Opens Office

A. P. Waxman has opened his own publicity office. One of his first accounts is a campaign on H. B. Franklin's "Gambling," in which George M. Cohan will be starred for Fox release.

Wanger in Town

Walter Wanger arrived in New York from Hollywood over the weekend for a short stay. His first independent picture will be "The President Vanishes." Distribution is not set.

Paulson to China

Lawrence Paulson, youngest of the Fox salesmen in Canada, has been appointed manager of the Shanghai office, according to Clayton P. Sheehan, foreign manager.

McBride Joins U. A.

ST. LOUIS, Aug. 19.—George McBride, until recently with the B. N. Judell Co., has joined the United Artists sales force. He is succeeded by Victor Klarsfeld.

Myers Opposes High Rentals, Music Taxes

Seeking coordination from independent and affiliated units, Abram F. Myers, general counsel for Allied, asks for unified support in fighting high film rentals, various code clauses and ASCAP's demand for increased music taxes. Myers makes his plea in a foreword in the program of the 15th annual convention and eastern regional conference of Allied units to be held in Atlantic City Aug. 22-24.

"Exhibitors have one comforting thought," Myers' article reads. "They are engaged in a great business. Motion pictures are and will continue to be the cheapest and best, and hence the most popular, entertainment there is.

"The business has made money for those engaged in it and will do so again. Remove a dozen personalities, revise a few policies and it would be the greatest business in the country right now.

"Exhibitors alone can bring these reforms to pass. If they make an honest, determined effort in the 12 months just ahead of us, I predict that you will hear quite a few of them laughing boisterously next year because their satisfaction is so damned complete!"

Rebuilding in Columbus

COLUMBUS, O., Aug. 19.—The Grand, destroyed by fire several weeks ago with loss of approximately $150,000, will be rebuilt, and work started immediately, according to Dusenbury Bros., owners of the site. Harry Holbrook, local architect, has drawn the plans, which are understood to call for a 1,300-seat house, including balcony. Although being rebuilt for pictures, a stage ample to accommodate the legitimate shows will be included. The house was leased and operated for many years by J. Real Neth. No information could be obtained from the owners as to management or personnel.

Alhambra Reopens

MILWAUKEE, Aug. 19.—Wisconsin Amusement Enterprises, Inc., reopened the Alhambra with "The Rendezvous of Youth" yesterday, plus six acts of vaudeville, including community singing under Martin Pflug; "Grand Canary"; dancing on the stage and refreshments at the Bar Moderne. Jack Stanley is master of ceremonies. George Gambrill is manager. Admission prices to this three ring circus are 25 cents to 6 P. M. and 35 cents until closing.

Shows a Pickup

Chicago, Aug. 19.—Asked about the meeting of Allied directors and members held last week, Aaron Saperstein said nothing of great moment was discussed and on second thought he almost believed the meeting had been called to find out how many exhibitors could afford to be absent indulging in a vacation. The number of absentees was decidedly encouraging, he remarked.

Educ'l Production Runs Ahead of '33

Production is running "approximately 50 per cent" ahead of last year, Educational states. Fifteen one and two-reelers on the new season's program have been completed at the Eastern Service plant in Astoria, while five two-reelers are either in work or in preparation. On Wednesday "Marriage Blisters" goes into production. Next Monday a new Tom Howard comedy will go before the cameras. This will be followed by still another.

See Vaudeville Revived

CLEVELAND, Aug. 19.—Vaudeville is expected to stage a come-back at the local downtown picture houses this fall. Ted Fiorito and his band are booked into the RKO Palace the week of Aug. 24. "The Bowery," stage presentation, follows. Loew's State has booked Rudy Vallee, Cab Calloway, Guy Lombardo and other outstanding acts.

May Enlarge Classes

An educational system with classes of from 100 to 1,000 pupils under the supervision of a sole teacher will be made possible in the future by the talking pictures, it is predicted by Colonel F. L. Devereux, vice-chairman of the National Advisory Committee of Citizens. The prophecy was made at a meeting of the National Schoolmart here.

Wong-Luke to Team

HOLLYWOOD, Aug. 19.—Paramount is scouting for a romantic story that will introduce Anna May Wong and Key Luke as starring timber. Luke was a former artist for Radio and made his debut in shorts there.

Big Board Stocks Recede

	High	Low	Close	Net Change	Sales
Columbia Pictures, vtc.	29½	28½	28½	— ½	200
Loew's, Inc.	26⅞	26¾	26¾	— ¼	1,100
Paramount Publix, cts	3¼	3¼	3¼	.....	200
Pathe Exchange "A"	14½	14½	14½	— ⅛	100
RKO	2⅛	2⅛	2⅛	— ⅛	200
Warner Bros.	4⅛	4	4	— ⅛	500

Trans Lux Lone Curb Opener

	High	Low	Close	Net Change	Sales
Trans-Lux	5	5	5	— ¾	100

Para. F. L. Bonds Up 1½

	High	Low	Close	Net Change	Sales
General Theatre Equipment 6s '40, ctf.	6	6	6	.....	4
Loew's 6s '41, ww deb rights	101	101	101	.....	1
Paramount F. L. 6s '47	40	40	40	+1½	2
Paramount Publix 5½s '50	41½	41	41½	+ ½	5
Warner Bros. 6s '39, wd.	53½	53⅛	53⅛	— ⅞	6

◀ Purely Personal ▶

GRAD SEARS, that funny man, houses hats in his locker at Rye, the idea permitting him to dress as the mood dictates. Slants on Searian moods, as indicated thus: jockey's cap, battered high silk topper, pith helmet.

JOE WEIL continues his postcard habit. This time, writing from Venice, he asks: "What could a good golfer do here? What could I do? What could anybody do?"

W. P. LIPSCOMBE and R. J. MINNEY, authors of "Clive of India," arrived on the *Berengaria* Friday en route to Hollywood to work on the screen adaptation for 20th Century.

BURNET HERSHEY has been signed by MONTY SHAFF, president of Topical Pictures, to adapt the first story on his current schedule for production in the east.

WALLACE IRWIN'S novel, "North Shore," has been acquired by Warners with BETTE DAVIS in mind for the lead.

CONSTANCE BENNETT arrived from Hollywood Saturday and sailed on the *Ile de France* for a holiday.

JOHN SANTEY'S "Dinky" has been purchased by Warners and is being lined up for early production.

ROBERT ARMSTRONG may take a stage job. Ditto for DONALD COOK.

ZANE GREY'S "West of the Pecos" has been purchased by Radio.

RALPH BELLAMY is casting longing eyes toward Europe.

JOHN ROCHE is in town from the coast.

JANET GAYNOR heads west shortly.

As Manila Sees Them

HOLLYWOOD, Aug. 19.—N. A. Tuason, owner of four theatres in Manila including the Metropolitan and Fox, left for San Francisco Saturday en route home. Tuason had been in Hollywood for a week buying new equipment.

The exhibitor says that Jose Mojica, Fox Spanish actor, is the biggest draw in Manila. Janet Gaynor is next, while Clark Gable and Shirley Temple are practically unknown in that territory.

Methodist Pledges Out

Groups connected with the Methodist Episcopal Church are circulating from headquarters in Chicago pledges to boycott films that "offend decency and public morality and violate the Christian ideals of life." Methodists are asked to fight block booking and "blind buying."

Pick Up Two Options

HOLLYWOOD, Aug. 19.—Warner Brothers took up the options of Ruth Donnelly and Harry Tyler this week.

The actress recently completed a role in "Happiness Ahead." Tyler's last role was in "Housewife."

James J. Tynan Dead

HOLLYWOOD, Aug. 19.—Funeral arrangements are under way for James J. Tynan, scenarist, who died here Friday. He was 43 years old.

CLEAN "ACTION PICTURES

EXHIBITORS

CLEAN ACTION" PICTURES

SEASON 1934-35

"Meeting the Responsibilities of Leadership"

---

6 Northwest Action Thrillers
with "Dynamite," the Wonder Horse,
and "Captain," King of Dogs

"COURAGE OF THE NORTH"
Featuring
"MORTON OF THE MOUNTED"

June Love Jimmy Aubrey Wm. Desmond Tom London

"TIMBER TERRORS" "Roaring River"
"FURY OF THE MOUNTED" "The Silent Code"
"Rogues of the Rockies" - Produced by Robert Emmett

6 ACTION FEATURES STARRING
"TARZAN THE POLICE DOG"
"INSIDE INFORMATION"
with

Rex Lease Philo McCollough Marion Shilling
Victor Potel Henry Roquemore

"MILLION DOLLAR HAUL" "ON THE SPOT"
"MISSING MESSENGER" "ON PATROL"
"CAPTURED"

Produced by Bert Sternbach

Distributed by Stage and Screen Productions, Inc.

6 "ROUGH RIDER SERIES"
WESTERN ACTION PICTURES
"WAY OF THE WEST"
with

Wally Wales Wm. Desmond Bobby Nelson
Art Mix Bill Patton Myrla Bratton

"PALS OF THE RANGE"
"SADDLE COURAGE" "THE ROPIN' FOOL"
"TWO FISTED GALLAGHER"
"GOING TO TOWN"

Produced by Robert Emmett

6 "RANGE RIDER SERIES"
WESTERN ACTION PICTURES
"SURE SHOT SAM"
"THE DAWN RIDER"
"THE TEXAS TERROR"
"THE RIDIN' PREACHER"
"CYCLONE OF THE SADDLE"
"THE GHOST RIDER"

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in Galsworthy's Best-Seller

ONE MORE RIVER

A JAMES WHALE Production

ADOLPHE MENJOU

in

THE HUMAN SIDE

GIFT OF GAB

The NEW Type of Screen Show
with
30 BIG STARS

STORY FOR UNIVERSAL!

CLAUDETTE COLBERT

in Fannie Hurst's

IMITATION OF LIFE

A JOHN M. STAHL Production

ROMANCE IN THE RAIN

DAMON RUNYON'S

MILLION DOLLAR RANSOM

Reach Accord On Drive for Better Films

(*Continued from page 1*)

a conference of American Catholic bishops in Washington last November, makes it clear that he expects the industry to adhere to its pledges, his reply to Hays carries further important implications concerning the Legion of Decency and its activities.

Hays had expressed the hope that "the confusion now arising from black and white lists may be avoided." He pointed out this would be a means "toward a better understanding and more rapid progress toward our common objective if these instances were eliminated in which in one locality a particular picture is placed on a recommended list and in another locality the same picture is placed on a condemned list." He also drew the conclusion these "without doubt are incidents growing out of the confusion of the campaign."

Hopes Plan Is Solution

Archbishop McNicholas, in his reply, does not openly subscribe to Hays's wishes. He does, however, express the hope "that the emblem of your organization's approval will ultimately be a solution" and by so doing appears to make logical a conclusion that acceptance of code production seals of approval will be agreeable.

Once again, the archbishop stresses the point that the Legion of Decency has no destructive designs. Whether or not he means that the Legion is to go into a period of inactivity, but of watchful waiting, nevertheless, is another point subject to interpretation when he states:

"Its members will be urged to keep up an active interest in the moral significance of motion pictures."

The other members of the committee are: Most Rev. John J. Cantwell, bishop of Los Angeles; Most Rev. John F. Noll, bishop of Fort Wayne; Most Rev. Hugh C. Boyle, bishop of Pittsburgh. The Legion of Decency campaign was organized by this committee.

Allen, Cleveland, Is Part of 4-Way Pool

(*Continued from page 1*)

Hippodrome and Warners' Lake. All are downtown first run houses. It is reported they will share losses and profits. Pictures played in the four houses will be Warner, Fox and Radio.

The booking committee for the four houses will be Nat Holt of RKO, Nat Wolf of Warners and Herbert Greenblatt, local RKO branch manager. The Allen will reopen early in September.

First Division Is in Shorts; Gets Audio

(*Continued from page 1*)

organized to specialize in the Audio subjects, six of which are slated to be released starting late in September. The half dozen are: "In a Monastery Garden," "Fingal's Cave," "Hymn to the Sun," "Italian Caprice," "Voices of Spring" and "Irish Melody."

Hays-McNicholas Letters

Aug. 10, 1934.

Most Rev. John T. McNicholas,
O. P., Archbishop of Cincinnati,
Norwood, Ohio.

Your Excellency: The M. P. Producers & Distributors of America, Inc., the members of which produce a very large per cent of the motion pictures in the United States, is happy to be able to inform Your Excellency that arrangements previously outlined which are intended more effectively to influence the character of motion pictures produced by members of our association have been carried into effect. These arrangements are producing results which, when they become fully known to Your Excellency will, I believe, be a source of gratification.

Your Excellency will, I hope, realize that even with the utmost determination on our part a reasonable length of time from this point on is necessary in order that the results of our efforts may become known and generally understood. In this connection, likewise, it is our hope that the confusion now arising from black and white lists may be avoided. It would be a means toward a better understanding and more rapid progress toward our common objective if these instances were eliminated in which in one locality a particular picture is placed on a recommended list and in another locality the same picture is placed on a condemned list. Without doubt these are incidents growing out of the confusion of the campaign.

We wish not to discourage, but definitely to encourage, all reasonable criticism and comment on our motion pictures. We are glad to have our motion pictures freely discussed by persons who have actually seen them and it is entirely agreeable to us to have those persons communicate their opinions of the pictures to those groups and communities with which they may be identified. Facilities for pre-release reviews of pictures to that end have been established in Hollywood. The open and frank discussion of individual pictures, which is consequent upon such deliberate and experienced information, aids materially in the discriminating selection of its entertainment by the public.

Your Excellency is informed that the organized industry has arranged to place an emblem and declaration of its approval upon each motion picture released subsequent to July 15 indicating that it conforms with and has been passed by the industry's revised plan of self-regulation. The industry is arranging to give wide publicity to the use of this emblem in its various announcements. It is proposed that company advertisements will, through the use of this emblem, identify motion pictures which have been approved. Local exhibitors will be encouraged further to afford this guidance to the public.

I am, Your Excellency,
Sincerely yours,
Will H. Hays.

Aug. 14, 1934.

My dear Mr. Hays:

I thank you for your letter of Aug. 10. I am pleased to learn officially from you that the industry's revised plan of self-regulation of which the Committee of Bishops was informed at its meeting on June 21, has now been carried into effect. It is to be hoped that it will effectively and permanently influence the character of motion pictures.

One must recognize the reasonableness of the point you make concerning the time required to show proper results in the new program. It is assumed, however, that the industry will shortly give such evidences of good will and determination as to justify a confident expectation of satisfactory and permanent results.

I notice your reference to the confusion arising from the multiplicity of lists, both black and white. It is to be hoped that the emblem of your organization's approval will ultimately be the solution. If the emblem itself could be made a sufficient guarantee that any picture bearing it assures the public of a wholesome screen and is worthy of general patronage, all confusion would end.

From many sources the suggestion has been received by the Bishops' Committee that in giving approval to moving pictures certain lines of distinction be drawn. One recognizes that there are legitimate dramatic values in life, affording themes of proper and profound interest to mature minds, which would be utterly unfit for the impressionable minds of youth. Those who have thought the problem through are convinced that many pictures should bear approval for adult patronage, while others could well be approved for general patronage.

There are many motion pictures now on the market, presumably intended for circulation during the next few months, which do not bear your emblem of approval. In the application of the industry's announced agreement to allow the cancellation of such pictures in the event of protest on moral grounds, it is urged that a broad and sympathetic interpretation be given which will definitely relieve theatres under contract from the legal obligation to show pictures which are objectionable to their patrons.

It must be presumed that the right to review and to criticize a motion picture bearing the emblem of your approval cannot be restricted. In discharging its responsibility to the public by complying with the requirements of the moral code, the administration set up by your organization to regulate the character of motion pictures can and should be helped by reasonable criticism.

Your wish definitely to encourage all reasonable criticism of and comment on motion pictures is very gratifying and should prove helpful. This willingness of the industry to receive from competent sources criticism tending to guide the code administration will assure also that freedom essential to moral leadership in any given community.

The widespread organization of the Legion of Decency has a clear objective which is in no sense destructive. Its members will be urged to keep up an active interest in the moral significance of motion pictures. This interest will prove very helpful in the formation of a general and well-informed public opinion. Such a program cannot but redound to the best interests of the motion picture industry.

With best wishes, I am,
Faithfully yours,
John T. McNicholas,
Archbishop of Cincinnati.

Mack Signs Fox Met Bankruptcy Papers

(*Continued from page 1*)

77-B of the new bankruptcy laws. The procedure was a formality. The bondholders' committee also submitted an order, but Judge Mack favored Palmer's with modifications.

Under the bankruptcy, Irving Trust becomes temporary trustee until Sept. 12, when a general creditors' hearing will take place before Mack and a permanent trustee named. Irving Trust has been equity receiver until now and is expected to be named permanent trustee next month.

With the bankruptcy, the circuit will continue operation intact. There will be no foreclosure sale, thus eliminating possibility of any new bid for the 87 houses. A. C. Blumenthal, who has been represented by Saul Rogers at court hearings, stated recently he had a new reorganization plan. Whether he will submit one before the Sept. 12 hearing is problematical.

Morton G. Bogue, attorney for the bondholders' committee, and Milton C. Weisman and William E. Atkinson, co-receivers for Fox Theatres, will confer this week on a new reorganization outline.

Palmer states he may present a plan amending the original one submitted by the bondholders' committee. There are certain provisions in the plan to which he objects. Until there is an agreement reached on various contract issues, Palmer will continue to attack the plan, it is understood.

Providence Grosses Held Down by Races

Providence, Aug. 19.—Horse racing continues to cut into receipts of exhibitors here with grosses sliding down the scale. Loew's State, top house for the week, caught only $9,100.

Total business in first run houses, $20,250. Average business, $33,500.

Estimated takings for the week ending Aug. 16:

"STRAIGHT IS THE WAY" (M-G-M)
LOEW'S STATE—(3,800), 15c-40c, 7 days. Buster West headed stage bill. **Gross:** $9,100. (Average, $12,000)

"ROMANCE IN THE RAIN" (U.)
"BLIND DATE" (Col.)
RKO ALBEE—(2,300), 15c-40c, 7 days. **Gross:** $3,100. (Average, $7,000)

"LADIES SHOULD LISTEN" (Para.)
"HAPPY LANDINGS" (Monogram)
PARAMOUNT—(2,300), 15c-40c, 7 days. **Gross:** $3,000. (Average, $6,500)

"HANDY ANDY" (Fox)
"UPPER WORLD" (W. B.)
MAJESTIC—(2,400), 15c-40c, 7 days. **Gross:** $4,100. (Average, $7,000)

"THE OIL RAIDER" (Col.)
"BEDLAM OF BEARDS"
RKO VICTORY—(1,600), 10c-25c, 4 days. **Gross:** $950. (Average, $1,000)

Harlow Film Kansas City Hit, $13,400

KANSAS CITY, Aug. 19.—At $13,-400, "The Girl from Missouri" led irst runs in what was a big mid-ummer week for three out of five howshops. With title and featured tar both naturals here, the Loew Mid-and take on the Jean Harlow picture oared above normal by $3,400.

Swell newspaper cooperation helped he Uptown garner $4,700 with "One More River," which attracted the car-iage trade and did better than usual natinee business. The Tower had nother big week with "I Give My ove" and a stage show, drawing 7,525. The Newman's and Main-treet's double bills failed to reach par.

Total first run business was $35,525. verage is $31,000.

Estimated takings:

Week Ending Aug. 9:

"MIDNIGHT ALIBI" (F. N.)
"THE MERRY FRINKS" (F. N.)

MAINSTREET—(3,100), 25c, 7 days, plus aturday late show. **Gross:** $5,400. (Aver-ge, $6,000)

THE GIRL FROM MISSOURI" (M-G-M)

MIDLAND—(4,000), 25c, 7 days, plus aturday midnight show. **Gross:** $13,400. Average, $10,000)

"SPRINGTIME FOR HENRY" (Fox)
"EMBARRASSING MOMENTS" (Univ.)

NEWMAN—(1,800), 25c, 7 days, plus aturday late show. **Gross:** $4,500. (Aver-ge, $6,000)

"I GIVE MY LOVE" (Univ.)

TOWER—(2,200), 25c, 7 days, plus Satur-lay midnight show. Stage: "Take a hance" revue, with Low & Hite, Edith riffith, Jack Dalton & Co., Dave Mona-an, Helen Arden, Lester Harding, Ernie ayburn. **Gross:** $7,525. (Average, $6,000)

Week Ending Aug. 10:

"ONE MORE RIVER" (Univ.)

UPTOWN—(2,000), 25c, 7 days. **Gross:** 4,700. (Average, $3,500)

"Missouri" Leads Buffalo, $17,100

BUFFALO, Aug. 19.—Fans here went or "The Girl from Missouri" in a ig way. Aided by a stage show, eaded by Long Tack Sam, the film ulled $17,100 into the Buffalo, top-ing par by $2,800.

Other spots developed strength. She Loves Me Not" was over the ne by $800 at $8,800 in the Hippo-rome, and a dual, "Melody in Spring" nd "Finishing School," took a strong 6,100 at the Century.

Total first run business was $37,900. verage is $36,300.

Estimated takings for the week end-ng Aug. 17:

THE GIRL FROM MISSOURI" (M-G-M)

BUFFALO — (3,500), 30c-55c, 7 days. tage: Long Tack Sam & Co.;Bob Murphy, ith Dick and Dorothy; Bryant, Rains & oung, with Dora Vernon; Duke Art; Jue ong. **Gross:** $17,100. (Average, $14,300)

"MELODY IN SPRING" (Para.)
"FINISHING SCHOOL" (Radio)

CENTURY—(3,000), 25c, 7 days. **Gross:** ,100. (Average, $6,000)

THE WORLD IN REVOLT" (Mentone)
"THEIR BIG MOMENT" (Radio)

COURT STREET—(1,200), 25c, 7 days. **ross:** $800. (Average, $1,500)

"SHE LOVES ME NOT" (Para.)

HIPPODROME—(2,100), 25c-40c, 7 days. ross: $8,800. (Average, $8,000)

"I GIVE MY LOVE" (Univ.)
"THE PARTY'S OVER" (Col.)

LAFAYETTE—(3,300), 25c, 7 days. **Gross:** ,100. (Average, $6,500)

"Navy" Hits Washington's Top, $18,000

WASHINGTON, Aug. 19.—The Navy landed and took undisputed command of capital grosses last week, as the Earle raked in $18,000 for "Here Comes the Navy."

Loew's Fox, for many months Washington's No. 1 taker, slipped into a poor second with $16,500 for "Grand Canary."

A revival of "Cimarron," at RKO-Keith's, did $8,500, a good summer week's average, although considerably under the height-of-the-season average.

A gross of $12,200 on the first seven days of "Handy Andy" sent the picture into its second week, at Loew's Palace.

The week's total gross was $60,900, as against an average of $71,200.

Estimated takings:

Week Ending Aug. 9

"HERE COMES THE NAVY" (Warners)

EARLE—(2,218), 25c-77c, 7 days. Stage: Patricia Bowman & George Tapps, Helen Ault, William Demerest, Ruth Mix, and Keys, Shafer & Keys. **Gross:** $18,000. (Av-erage, $17,600.)

"SHE LEARNED ABOUT SAILORS" (Fox)

LOEW'S COLUMBIA—(1,265), 25c-40c, 7 days. **Gross:** $2,100. (Average, $3,100.)

"GRAND CANARY" (Fox)

LOEW'S FOX—(3,434), 25c-66c, 7 days. Stage: Borrah Minnevitch & his Harmonica Rascals, Vera Vann, Lynn Burro's Revue, and Rio Brothers. **Gross:** $16,400. (Aver-age, $20,500.)

"HANDY ANDY" (Fox)

LOEW'S PALACE—(2,390), 35c-77c, 7 days. **Gross:** $12,200. (Average, $14,500.)

"A VERY HONORABLE GUY" (F. N.)

METROPOLITAN—(1,591), 25c40c, 7 days. **Gross:** $3,600. (Average, $4,100.)

Week Ending Aug. 7

"CIMARRON" (Radio)

RKO—KEITH'S—(1,830), 25c55c, 7 days (revival). **Gross:** $8,500. (Average, $11,400.)

Harlow and Cagney Leaders in Seattle

SEATTLE, Aug. 19.—"The Girl from Missouri" and "Here Comes the Navy" lead all others here for the week which closed last night. Competitive attractions dipped under their house normals. The weather may have had something to do with it.

Six first runs, averaging $30,500 when they average it, aggregated $28,100.

Estimated takings for the week ending Aug. 18:

"FRIENDS OF MR. SWEENEY" (War.)
"THE LOVE CAPTIVE"

BLUE MOUSE—(950), 15c-25c-35c, 7 days. **Gross:** $3,100. (Average, $3,500)

"GIRL FROM MISSOURI" (M-G-M)

FIFTH AVENUE—(2,450), 25c-40c-55c, 7 days. **Gross:** $7,600. (Average, $7,000)

"SISTERS UNDER THE SKIN" (Col.)
"THE BIG RACE" (Showmen's)

LIBERTY—(1,800), 10c-15c-25c, 7 days. **Gross:** $3,800. (Average, $4,000)

"HERE COMES THE NAVY" (W. B.)

MUSIC BOX—(950), 25c-40c-55c, 7 days. (Extended run from Music Hall.) **Gross:** $4,200. (Average, $4,000)

"BACHELOR BAIT" (Radio)

MUSIC HALL—(2,275), 25c-40c-55c, 7 days. Hal Grayson & Band on stage. **Gross:** $4,100. (Average, $6,000)

"THE OLD-FASHIONED WAY" (Para.)

PARAMOUNT—(3,050), 25c-35c, 7 days. Vaudeville headed by Henry, the Magician. **Gross:** $5,300. (Average, $6,000)

More Secrets Out

Washington, Aug. 19.—There is no longer any reason why anybody should be ignorant of the intimate details of the life of Japanese beetles.

Current releases by the U. S. Department of Agriculture include: "The Japanese Beetle—Life History and Damage"; "The Japanese Beetle—Methods of Control" and "Beware! The Japanese Beetle!" They're two-reelers and available for exhibition.

"Two Faces" Denver Top, Gets $7,000

DENVER, Aug. 19.—"The Man with Two Faces" pulled a fine $7,000 at the Orpheum last week. This tops par by $1,000.

"The Girl from Missouri" grabbed a normal $6,000 at the Denver, but business was pretty dull elsewhere. "She Learned About Sailors" was weak at $1,700. The weather was good.

Total first run business was $20,150. Average is $20,500.

Estimated takings for the week ending Aug. 16:

"SHE LEARNED ABOUT SAILORS" (Fox)

ALADDIN—(1,500), 25c-35c-50c, 7 days. **Gross:** $1,700. (Average, $2,500)

"THE SCARLET EMPRESS" (Para.)

DENHAM—(1,500), 25c-35c-50c, 7 days. **Gross:** $3,750. (Average, $4,000)

"THE GIRL FROM MISSOURI" (M-G-M)

DENVER—(2,500), 25c-35c-50c, 7 days. **Gross:** $6,000. (Average, $6,000)

"MAN WITH TWO FACES" (F. N.)

ORPHEUM—(2,600), 25c-35c-50c, 7 days. **Gross:** $7,000. (Average, $6,000)

"WILD GOLD" (Fox)

PARAMOUNT—(2,000), 25c-40c, 3 days. **Gross:** $600.

"HOUSEWIFE" (Warners)

PARAMOUNT—(2,000), 25c-40c, 4 days. **Gross:** $1,100. (Average for week, $2,000)

"Key" and "Moment" Pittsburgh's Best

PITTSBURGH, Aug. 19.—The best showing in town last week was made by the Warner, where a double feature, "The Key" and "Their Big Moment," brought in $6,700 for the best takings here in several months. It was a field day for the bargain hunters, inasmuch as they had little to choose from, the other two first run houses playing ordinary product that couldn't stack up in value against the Warner's two-for-one.

At the Penn, "Stamboul Quest" was a disappointment at $7,000, while the Stanley, with "The Man with Two Faces," did slightly less than that, $6,700.

Total grosses in three first run houses were $20,000. Average is $26,000.

Estimated takings for the week ending Aug. 16:

"STAMBOUL QUEST" (M-G-M)

PENN—(3,300), 25c-50c, 6 days. **Gross:** $7,000. (Average, $12,000.)

"MAN WITH TWO FACES" (Warners)

STANLEY—(3,600), 25c-50c, 6 days. **Gross:** $6,700. (Average, $9,000.)

"THEIR BIG MOMENT" (Radio)
"THE KEY" (Warners)

WARNER—(2,000), 25c-40c, 6 days. **Gross:** $6,700. (Average, $5,000.)

Boston Takes Showing Gain; "Love Me" Top

BOSTON, Aug. 19. — Grosses advanced slightly last week, continuing the steady upward trend which has marked first runs for the past several weeks. Two houses reached their average this week, Metropolitan and Loew's State.

"Treasure Island" at Loew's State hit the popular fancy, grossing $16,-000, the theatre's average, while at Metropolitan Bing Crosby's film, "She Loves Me Not," proved equally popular and brought the grosses back to average. Keith's, with "One More River," came close to average.

Totals for first runs for the week were $87,000, which is $3,000 better than last week. Average is $94,000.

Estimated takings for the week ending Aug. 16:

"HAT, COAT AND GLOVES" (Radio)
"MANHATTAN LOVE SONG" (Monogram)

BOSTON—(2,900), 25c-50c, 7 days. **Gross:** $14,500. (Average, $16,000.)

"HOUSEWIFE" (Warners)
"SHE LEARNED ABOUT SAILORS" (Fox)

FENWAY—(1,800), 30c-50c, 7 days. **Gross:** $6,500. (Average, $9,000.)

"ONE MORE RIVER" (Univ.)

KEITH'S—(3,500), 30c-50c, 7 days. **Gross:** $15,000. (Average, $16,000.)

"TREASURE ISLAND" (M-G-M)

LOEW'S STATE—(3,700), 35c-50c, 7 days. **Gross:** $16,000. (Average, $16,000.)

"SHE LOVES ME NOT" (Para.)

METROPOLITAN—(4,350), 30c-65c, 7 days. Revue. **Gross:** $28,000. (Average, $28,000.)

"HOUSEWIFE" (Warners)
"SHE LEARNED ABOUT SAILORS" (Fox)

PARAMOUNT—(1,800), 30c-50c, 7 days. **Gross:** $7,000. (Average, $9,000.)

Dual Bill Leads in Omaha; $1,000 Over

OMAHA, Aug. 19.—A dual bill, made up of a second run of "The Thin Man" and a first run of "No More Women," at the World, led the town with a $5,000 gross, or $1,000 over average for that house.

The Orpheum reported a small profit on "The Girl from Missouri" and "Friends of Mr. Sweeney." Gross was $8,000; average, $7,500. The Brandeis slipped and failed to make its average with "The Return of the Terror" and "The Lady Is Willing."

Total first run business was $16,900 against an average of $15,500.

Estimated takings:

Week Ending August 15:

"NO MORE WOMEN" (Para.)
"THE THIN MAN" (M-G-M)
(Second Run)

WORLD—(2,200), 25c-40c, 7 days. **Gross:** $5,000. (Average, $4,000)

Week Ending Aug. 16:

"RETURN OF THE TERROR" (F. N.)
"THE LADY IS WILLING" (Col.)

BRANDEIS—(1,500), 20c-25c-35c, 7 days. **Gross:** $3,900. (Average, $4,000)

"THE GIRL FROM MISSOURI" (M-G-M)
"FRIENDS OF MR. SWEENEY" (W. B.)

ORPHEUM—(3,000), 25c-40c, 7 days. **Gross:** $8,000. (Average, $7,500)

"Andy" Aims for Record

CINCINNATI, Aug. 19.—"Handy Andy" is establishing something of a record for continuous first run here. After playing a week at the RKO Albee to an estimated gross of $15,-500, the Rogers opus moved to the RKO Lyric, where it is now in its second week and still going strong.

the PROOF of Sho Thi

BUILD BETTER PROGRAMS NOW WITH

"GOOD LUCK—BEST WISHI
with Pickens Sisters, Solly War
Ferde Grofe's Orchestra

"SHE'S MY LILY...I'm Her Willi
with Will Mahoney

MUSICAL COMEDIES

"HELLO, SAILORS"
with Tom Patricola and Buster W

"SUPER-STUPID"
with Vince Barnett and Billy Gilb

CORONET COMEDIES

"MOUNTAIN MELODY"
with Frank Luther

"TIME ON THEIR HANDS
with Charles Carlile

SONG HIT STORIES

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The Greater Short Subject Season starts with these pictures. Budget increased...four distinct production units at work...new Big Star Names signed up each week . . . *Educational Pictures* lead off the parade for the season 1934-1935.

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ERNEST TRUEX
in "DINNER FOR TEN"
A STAR PERSONALITY COMEDY

BING CROSBY
in
URRENDER, DEAR" "ONE MORE CHANCE"
PRODUCED BY MACK SENNETT

"EDUCATING PAPA"
with Junior Coghlan
FROLICS OF YOUTH

"MICE IN COUNCIL"
"WHY MULES LEAVE HOME"
TERRY-TOONS

'THEN CAME THE YAWN"
TREASURE CHEST

COMING SOON
ORK and KING **BUSTER KEATON**
DOMESTIC BLISTERS"
rriage Wows Comedy **TOM HOWARD**

Production Activity Remains Unchanged

(Continued from page 1)

short subject division remained about the same also, with nine in work, 11 preparing and 21 in the cutting rooms.

Warners have five features in work, two preparing and 15 editing; Fox, five, five, four; Paramount, five, five, two; Radio, five, five, three; Columbia, three, three, one; Universal, three, zero, three; M-G-M, three, 10, 11; Goldwyn, two, zero, zero; Roach, one, zero, zero, while the independent group shows five, six and eight.

As for shorts, M-G-M reports two working, three preparing and four editing; Roach, zero, one, one; Universal, one, zero, zero; Columbia, one, two, two; Radio, one, two, nine, with the independent group reporting four, three and five.

Saenger Bondholders Get $70,000 Melon

(Continued from page 1)

Hibernia National Bank. Interest payments are in arrears on three other bond issues; the New Orleans Saenger Realty Corp., first mortgage; Mobile Saenger Realty Corp.; and series "A" and "B" of Saenger Theatres, first mortgage and collateral trust sinking fund issue.

The Hibernia loan was made pending action on approval by committees for a proposed reorganization plan scheduled to be heard Aug. 28. The committee has informed bondholders that "this proceeding supplements receivership proceedings and will expedite reorganization of the corporation."

Young Holt Signed

HOLLYWOOD, Aug. 19.—David Holt, youngster who appeared in Paramount's "You Belong to Me," has been handed a long-term contract by the studio.

The studio has big plans for the youngster and is boosting him as the male Shirley Temple.

Kill N. O. Sidewalk Tax

NEW ORLEANS, Aug. 19.—Mayor Walmsley's sidewalk tax which imposed a tax ranging from $2.50 to $10 a year for signs, awnings and anything that tended to advertise business has been killed.

15th ANNUAL
Convention
AND EASTERN REGIONAL
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ATLANTIC CITY
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AUGUST 22, 23, 24
•
Independent exhibitors in all territories are invited to attend and enjoy full convention privileges.

What N. Y. Critics Think

Consensus of New York critical newspaper opinion on pictures current along Broadway:

"Bulldog Drummond Strikes Back"

(*20th Century-U. A.*)

American—***a delightful burlesque that reaches heights of exciting fun.

Daily News—It is grand entertainment, this latest of the Drummond adventures, for it is crowded with amusing incidents, snappy lines and it is adroitly acted by Colman in the title role and by a supporting cast.

Evening Journal—A mystery melodrama that slyly burlesques mystery melodramas, the picture is an adroit blend of hilarious comedy, fast-moving action and sparkling dialogue. And its tongue-in-the-cheek humor is smartly sustained by star, director and scenarist, as well as by a supporting cast that includes such expert performers as Charles Butterworth, C. Aubrey Smith, Warner Oland, Loretta Young, Una Merkel and a number of others, even down to the merest bit player.

Herald Tribune—***an enormously engaging and continuously hilarious amalgamation of melodrama and farce, the most enlivening film I have encountered since "The Thin Man."***The production is excellent and the whole work is fine fun.

Post—***a picture of alarums and excursions, interspersed with suave comedy and slapstick. One has the feeling that the thing was contrived and executed as a sly spoof on the melodramatic school of detective fiction. Whatever the motive, it works as entertainment.

Sun—The maddest, merriest melodrama of the year, celebrating the new season,*** "Bulldog Drummond Strikes Back," hereby heartily recommended, is grand entertainment.

Times—Notwithstanding a murder and several kidnappings, this is a merry melodrama, for its lines are often witty and its incidents frequently comic.

•

"The Cat's Paw"

(*Harold Lloyd-Fox*)

American—***is one long, loud laugh, and with it the gentle Mr. Lloyd has brought a solution to many production problems presently irking the industry. It's clean, fast fun. But far from sappy.

Daily Mirror—***a real story with characters, comedy, thrills and suspense. Briskly directed, acted by a fine cast, "The Cat's Paw" is a lively and amusing picture.

Daily News—Harold Lloyd has rung the bell again with a hit picture.***more genuinely funny than his previous films.***The Cat's Paw" is good clean fun, as all Lloyd's pictures are, and it is first class entertainment.

Evening Journal—***grand entertainment ***And it's a hugely diverting story, packed with laughs, smartly directed and delightfully played by an amusing cast.

Herald-Tribune — ***is more concerned with situations and narrative than with wild and furious gags and, although it is a reasonably pleasant fable, with a proper share of human interest, I must confess that I mourn the passing of the good old days of hearty film rowdiness.

Post — ***entertainingly, if somewhat lengthily, recounted***Though the story is slow and ambling in its beginning it manages to pick up toward the middle, and from that point on it builds to a hilarious conclusion.***

Sun—***a radical change from any previous Lloyd slapstick antic. "The Cat's Paw" is essentially a melodrama, a drama even, with the star in a role that might quite easily have been played straight. ***may be a shock to Harold Lloyd's usual following; but it's a fresh, amusing comedy with an original twist. And the Lloyd spectacles are still very much in evidence.

Times—***the wild incidents are invariably amusing and the latter phases are decidedly hilarious.***And there is no denying that an audience at the first showing yesterday roared with laughter at several of the ingenious twists and turns of the fast-paced narrative.

World-Telegram — ***one of the most continuously hilarious of all the pictures that brilliant young comedian has made. An explosive, wild-eyed, satirical tale, it is one of the funniest rumpuses that have come along in many weeks.

"Cleopatra"

(*Paramount*)

American—. . . amazing achievement of Cecil B. DeMille. With the brilliant pigments of an Angelo, the great master of spectacle has filled his spacious canvas with scenes of thrilling beauty, martial magnificence, sweet scented romance, adventure, drama, life, love and death. In every lavish, glittering awe-inspiring sequence, the genius of DeMille bestrides the screen like a Colossus. In his metier he stands alone. And this is his metier.

Daily Mirror—Lavish and spectacular, it is a picture which recalls the good old epics. Mr. DeMille has made it with reverent consciousness that magnitude is impressive and from a script inspired by history and a little of Shakespear's dialogue. . .

There is life in the picture, fun and melodrama. It is characteristic DeMille, and DeMille is one of the few veterans of the movies who still is going strong.

Daily News—. . . DeMille has obtained some sumptuous and striking pictorial effects for his latest big production.

The picture moves a little slowly, as the enormous sets for some of the scenes and the great number of people used . . . are somewhat unwieldy at times. But, in spite of its leisurely motion, the story is absorbing.

Evening Journal—Noted for his film spectacles, Cecil B. DeMille surpasses even himself in the opulence with which he has invested his production of "Cleopatra." . . . It's all very eye-filling and it's all done with the typical DeMille pomp and splendor.

Herald-Tribune—As a spectacle, Mr. DeMille's "Cleopatra" is handsome and lavish, and although some of the orgies struck me as being just a little bit silly, there is an air of hearty and amiable naivete about them that is curiously heart-warming. . .

I'm afraid, too, that the story as Mr. DeMille tells it doesn't capture much illusion, either.

Post— . . . The producer has departed in this picture from his traditional pictorial excesses to concentrate on the relationships of the various characters to one another and to the successive declines of Caesar and Marc Antony, rather than on pure spectacle. . . . Yet, on the whole, "Cleopatra" may be said to have caught Mr. DeMille in one of his restrained moods. . . . The second and far more interesting part is devoted to Antony's expedition to Tarsus. . . . Mr. DeMille handles his battles and mass effects with his customary impressiveness.

Sun—Mr. DeMille has subordinated spectacle, elaborate though it still be, to the dramatic values of his story far more than usual. He had a drama to relate, an old, a famous and a powerful tale.

Times—. . . is one of the director's most ambitious spectacles. It has substantial, decorative settings, a wealth of minor properties, an imposing array of histrionic talent and an army of extras. . .

"Cleopatra" reveals Mr. DeMille in an emphatically lavish, but nevertheless a relatively restrained mood.

World-Telegram—So sumptuous, so lavish, so breathtaking at times is Cecil B. DeMille's production of "Cleopatra." . . . that I am certain several superlatives can be brought out where it is concerned without danger of contradiction. . .

It contains also a sometimes moving love story and some really fine acting, especially on the part of the lovely and competent Claudette Colbert, who makes the lady of the title every inch a queen.

•

"Dames"

(*Warners*)

Daily Mirror—There is plenty of entertainment in "Dames," and an extravagant plenty of Powell and Keeler. An attractive young man and lovable young girl, they make a charming little romantic team, who make love to tuneful music.

Daily News—If the 1934 award for the year's best pictures does not go to a product of the Warner Brothers, these cinematic manufacturers ought to get some credit for their ability to produce satisfactory and satisfying musicals on a scale which the trade calls "pretentions." The latest unit to come from their celluloid factory is "Dames," a title that is more teasing than explanatory, but a film that maintains the Warner quality.

Evening Journal—***is lavish, glittering and eye-filling. It has spectacular song and dance numbers, the choruses of which, one is informed, number 350. The sets are ornate, the music is tuneful, the costumes are stunning and the girls are pretty. And that seems to include all the ingredients of a successful musical show.

Herald-Tribune—Accepting "Dames" as a vehicle for Busby Berkeley to try out new dance routines, the picture at the Strand is worth catching.***But otherwise the piece is without distinction. The plot is trite, the jokes are rather stale, and the coherence of the story is often far from clear. The songs, however, are gay and lilting.

Post—***starts off the musical film season cheerfully. It is, besides being one of the Warners' most lavish productions, amusing farce comedy about three reformers who unwittingly get tight at a Broadway premiere and land, to their unexpected delight, in jail with hundreds of chorus girls.

Times—***does not quite attain the standard set by "Forty-second Street," even though it is amply eye-filling. There is a deal more comedy, but a deal less good music.

World-Telegram—Never, it is safe to say, have les freres Warner invested a song-and-dance film with so much merriment.

K. C. Board Seeks Time Limit Ruling

KANSAS CITY, Aug. 19.—Whether a statute of limitations exists for filing complaints is one of two questions asked of Code Authority by the Kansas City grievance board. The other point submitted for advice refers to altering contracts after the board has found an exhibitor guilty of a contract violation.

The statute of limitations problem results from a case in which the Madrid, local suburban, was charged by E. S. Young with playing a picture out of spot on May 17. The offense was committed almost three months before the complaint was filed.

While accepting the complaint and deciding against the theatre in this instance, the local board wants to be guided in the future by Campi's opinion as to whether a complaint must be filed within a certain time to be valid. It is pointed out absence of restrictions as to time makes it possible for a respondent to retaliate by complaining against the original complainant on an old infraction.

The second matter presented for a ruling is to decide whether A. G. Smith, manager of the Uptown, Parsons, Kan., is in the clear in reducing admissions below the contract minimum after the board some time ago ordered him to comply with existing contracts. Smith claims he has written authorization from two distributors to show double bills at a dime adult admission.

Without deciding the merits of the case, the local board passed the entire matter to Campi's legal department for an opinion.

Publix Pools With 7 on Staten Island

(Continued from page 1)

Harry Shiffman, president of the independent circuit, in complete charge.

The Staten Island unit was the solitary Publix house operated from the home office. The deal for independent operation is understood to have been approved by the trustees and contracts are now ready for signatures.

Isle's units involved are the St. George, St. George; Ritz, Port Richmond; Liberty, Stapleton; Capitol, West Brighton; Strand, Great Kills; Stadium, Tottenville; New Dorp, New Dorp.

The Paramounts on Broadway and in Brooklyn are under direction of Boris Morros.

Field Bodies To Hear Ills Are Scrapped

(*Continued from page 1*)

are on the docket now for protest hearings. Dates on which the individual plans will be heard will be set this week. Milwaukee's proposals were heard at the last Campi session and the next plans up for protest will be those from New Haven, Hartford and Bridgeport.

Exhibitors from the New England areas mentioned will come to New York tomorrow when a special appeal committee will hear objections. The judicial body has not been named, but will probably be set today.

Campi members feel that, since appeal committees hearing complaints on clearance, zoning and grievances during the last few weeks have done a commendable job, the expeditious method to save time is to set up similar committees for hearing protests on clearances with local men as judges.

The Los Angeles schedule is on the calendar for Sept. 18 when I. E. Chadwick and several coast exhibitors will come east for the hearing.

Detroit Board Hits Weak Part of Code

Detroit, Aug. 19.—A code weakness that fails to cover admission price changes by mutual consent of the distributor and exhibitor after a contract has been signed was criticized by the local grievance board in a recent decision.

This weakness, the board decided, "practically operates to permit the respondent to actually circumvent the intent and purpose of the code."

The decision was made on a complaint of price cutting brought by Nick Kuris, Ritz, Muskegon, against Paul Schlossoman, Theatres, Muskegon, and Detroit exchanges. The case was dismissed.

Dismiss, Withdraw 2 Pittsburgh Cases

Pittsburgh, Aug. 19.—An overbuying complaint has been dismissed and a reduced admissions case withdrawn as a result of two hearings by the grievance board.

The overbuying case was a complaint brought by Roosevelt Amusement Corp., operating the Roosevelt here, against Center-Vue Amusement Corp., Granada. Complainant and defendant were the same in the cut rate complaint.

40 More Ohio Assents

Cleveland, Aug. 19.—Since the reopening of the code assent period on June 10 until the final closing period, Aug. 15, 40 assents from Cleveland and the surrounding territory were filed with Mrs. Georgia Moffett, secretary of the Cleveland board. Of these, 26 were from Cleveland.

Radio Borrows Tobin

Hollywood, Aug. 19.—Genevieve Tobin, under contract to Warner-First National, has been loaned to Radio for the feminine lead in "By Your Leave."

Crime Without Passion

Hollywood, Aug. 19.—When Helen Hayes returned from work at M-G-M the other day, she found a box as large as a steamer trunk waiting for her filled with orchids and gardenias. The card, from her husband, Charles MacArthur, who is in New York, read:

"Our anniversary is some time this week. Hope today was the day."

Helen wired back:

"You're getting warmer. Please keep guessing."

NRA Changes Not to Shift Picture Code

(*Continued from page 1*)

but eventually it is contemplated that the various agreements will be reopened with a view to simplifying the trade practice provisions, which in some codes are so numerous and so involved as to make full enforcement almost impossible. Codes in which these provisions are giving no trouble, however, will probably not be affected.

First "Bank Night" Case Up in Omaha

Omaha, Aug. 19.—Lester F. Martin, distributor for Bank Night Enterprises and attorney for E. E. Seff, operator of the Rialto, Sioux City, Iowa, has filed an appeal from decision of the grievance board ordering Seff to discontinue "Bank Nights." The Capitol in Sioux Falls filed the complaint. This is a Blank-Tristate house.

The Seff case is the first of its kind filed in this territory.

Code Costs on Gross Income Basis Likely

(*Continued from page 1*)

distributors have protested the present plan. United Artists and Universal, in filing protests with the NRA, suggested that assessments should be based on annual business of individual companies.

Official word has been received by Campi from the NRA to discard the old assessment plan and draft a new one.

A meeting of the finance committee is expected to be called by Code Authority sometime this week to begin drafting a new assessment schedule.

Akron Is Satisfied With Its Dual Plan

Akron, Aug. 19.—Duals are not considered an "industry evil" here according to Robert Menches, head of the local exhibitor association. Akron has never gone for duals on a 100 per cent basis, Menches states. Pictures considered strong enough to stand on their own are shown on a single feature bill right down the line from the first run to the last run. Weak pictures are shown on double bills.

Menches figures that only about 50 per cent of the Akron playing time is devoted to double features. At a recent meeting of exhibitors it was voted to continue this practice.

Canton, O., Aug. 19.—Seven of this city's first runs are dual billing and no complaint is heard. Loew's is on a straight single feature basis, but Warners' Alhambra goes in for an additional film as a preview twice weekly.

MOTION PICTURE DAILY'S HOLLYWOOD PREVIEW

"Belle of the Nineties"

(*Paramount*)

Hollywood, Aug. 19.—With shock-proof punches but with haymakers nevertheless, Mae West uncorks a flashy, melodramatic entertainment of the Nineties, trippingly gay and gaudy for the most part but lingering in spots.

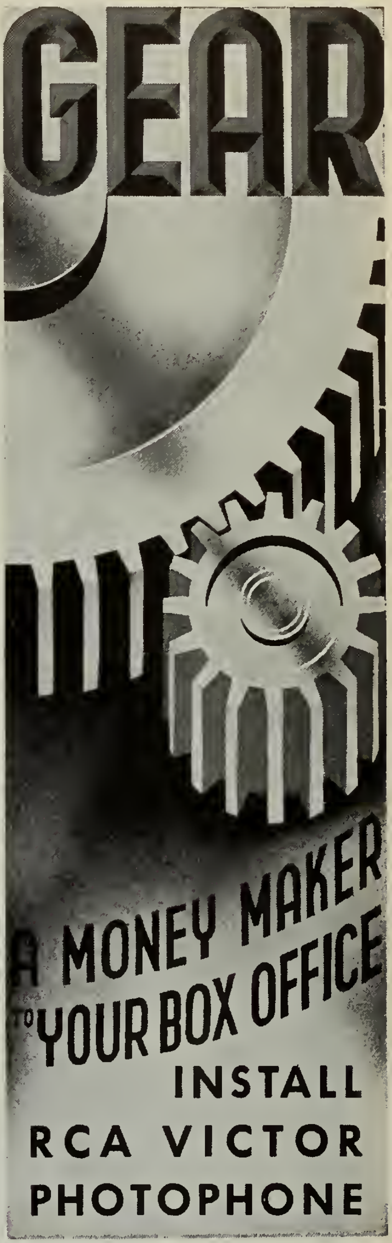
As with all the West films, her showmanship personality dominates the scene. Her story assembles herself as the American Beauty, a headline actress; Prizefighter Roger Pryor, Villainous Promoter John Miljan and his girl friend, Katherine de Mille, sets them in pleasure-loving New Orleans and lets music, gambling, stolen jewels and prizefight knockout drops work its dire drama, making it clear at the same time that no man outsmarts Mae and gets away with it.

While the production is hardly a model of uplift drama, by the same token nothing offends the sensibilities in La West's cleanest film.

Her performance, including singing and comedy, is the best she's done. Her wisecracks ripple along in laughing cadence with her curvacious walk and there is no reaching for gags or straining for effects.

Mae warbles four numbers, one, "Scandalizin' My Name," counterpointed with Negro spirituals being particularly effective to eye and ear. Leo McCarey's direction has flavor and distinction.

Exploited smartly, "Belle of the Nineties" should do Golden West business even though repeat bookings may or may not be so abundant.



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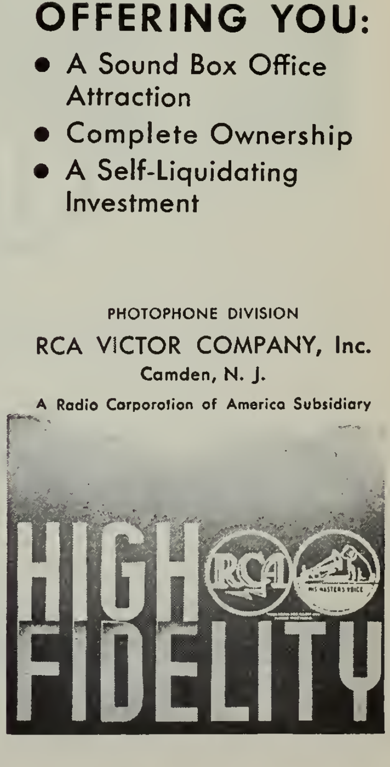

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MOTION PICTURE DAILY

Alert, Intelligent and Faithful Service to the Industry in All Branches

VOL. 36. NO. 43 NEW YORK, TUESDAY, AUGUST 21, 1934 TEN CENTS

Concessions Not Hurting Films: MPTOA

Holds No Ground Lost Via Church Drive

That coming pictures have not been and will not be weakened by studio concessions to the church crusade is the belief of the M. P. T. O. A., set forth in a bulletin of the national exhibitor organization released yesterday.

The bulletin declares that production compliance with the church crusade's aims does not even relieve the exhibitor of the problem of juvenile attendance at his theatre and urges the M. P. T. O. A. membership to develop special family night programs and selected pictures for children's matinees.

"We should not permit the idea to

(*Continued on page* 4)

"Legit" Code Body Near End of Task

The legitimate theatre code authority will resume hearings today on the revised pact for that industry with expectations of completing the document today or tomorrow.

Code provisions relating to sale of tickets by brokers and covering cut price policies will be taken up by the code authority today, with expectations that brokers will vigorously protest the provisions as contained in the revised code.

Producer Assessing To Highlight Campi

Highlighting the Campi session Thursday will be discussions revolving around a new assessment plan for producers and distributors. Official word has been received from Washington advising Code Authority to

(*Continued on page* 4)

$45,000 Campaign

"One Night of Love," which opens at the Music Hall Sept. 6, will be heralded by a $45,000 newspaper campaign in New York dailies. Columbia will spend $32,000 and the Music Hall $12,000.

The splurge will equal the sensational campaign used by Samuel Goldwyn to introduce Anna Sten in "Nana" at the same house.

St. Louis Dual Ban Killed; Warners Refuse to Go Along

St. Louis, Aug. 20.—The local move to end doubles is off, despite the fact that every exhibitor in the city with the exception of Warners has signed to abandon twin bills.

Warners refused to go single feature at the Shubert-Rialto and attempts by Fred Wehrenberg, head of the local M. P. T. O., to convince the house to adopt a one-feature program proved unavailing. Warners are said to have a peeve on with Harry Koplar, who recently combined his interests with Fanchon & Marco, who now operate the Ambassador, Missouri and Grand Central.

F. & M. was willing to buy Warner product for its five houses, but the distributor is said to have refused on the ground that it will continue to operate the Rialto and show its own films there.

ITOA to Push Duals War; Warners to End N. J. Twins

Warners is the first major circuit to go for adoption of a single feature policy in New Jersey in line with the dual bill ban sponsored by Allied of New Jersey. The circuit has signed up for 56 houses in Northern New Jersey. Skouras, with 16 theatres across the Hudson, also has signed the agreement.

Signing of the 72 houses was announced yesterday by the Allied committee handling the dual situation, tentatively slated to go into effect Sept. 3.

Loew's, RKO and Walter Reade are expected to go for the plan sometime this week. Loew's already has

(*Continued on page* 4)

That the I. T. O. A. does not intend to drop plans for elimination of duals in New York was indicated by Harry Brandt, president, yesterday when he stated he intends getting in touch with officials of Loew's and RKO on the matter.

C. C. Moskowitz of Loew's last week told MOTION PICTURE DAILY the circuit is willing to go along on any plan for discontinuance of twin features provided the rest of the houses agree to the same procedure. RKO has not yet committed itself to the plan.

In discussing the local situation, Brandt said that several things must

(*Continued on page* 4)

Felix Feist Elected Head of M. P. Club

A new slate of officers was elected yesterday by the M. P. Club. Felix Feist, general sales manager for M-G-M, was named to succeed Lee A. Ochs as president.

The number of vice-presidents was increased from two to three. Two of them—John W. Alicoate, editor and publisher of *The Film Daily,* and David Loew, M-G-M executive—will continue in their posts. The new vice-president is Phil Reisman, RKO

(*Continued on page* 4)

Mexico City Stage in Move to Curb Screen

By JAMES LOCKHART

MEXICO CITY, Aug. 20.—That five houses in this city be reserved exclusively for legitimate shows is urged upon the civic government by actors, theatre attaches and the

(*Continued on page* 4)

4 Zoning Appeals For Hearing Soon

Four general hearings on appeals from clearance and zoning schedules are slated for the next two weeks. The first will be at Hartford, Bridgeport and New Haven, set for this afternoon, with George Schaefer, E. C. Grainger and Edward Rugoff sitting as a committee. Schaefer will be chairman.

George Cuzen, New Haven branch manager for Paramount, and Jacob E. Fishman of the Lyric, New Haven,

(*Continued on page* 4)

Charge Los Angeles Theatres in Chisel

LOS ANGELES, Aug. 20.—Charging theatres in this area are violating the minimum scale provisions of the code, local projectionists say they will file over 100 complaints with Charles H. Cunningham of the NRA early this week.

Courts to Be Used to Meet ASCAP Issue

Series of Test Cases Being Planned

Test cases to determine the validity of music tax collections from exhibitors by the American Society of Composers, Authors & Publishers will be prepared by counsel for the exhibitors' national emergency committee in combatting the proposed music tax increases, it was learned yesterday.

The test cases will be filed in an effort to eliminate the music tax collection completely and permanently, it was stated. Prosecution of the cases is expected to be assigned to Newton D. Baker's law firm, Baker, Hostettler, Sido & Thompson of Cleveland, which has already filed similar

(*Continued on page* 4)

Carroll Set to Do One on Fox Lineup

Earl Carroll, whose first film venture was "Murder at the Vanities" for Paramount, has signed a contract to produce one picture for the Fox 1934-35 schedule. It is understood Erpi will finance.

Harold B. Franklin's brace for Fox, of which "Gambling" starring George M. Cohan will be the first, will be produced by Brookin Corp.

The Carroll film is tentatively called "Private Rooms at the Vanities" and is slated for completion by January.

B. & K. Appeal Puts Back Chicago Sales

CHICAGO, Aug. 20. — Balaban & Katz's complaint before Campi in which the circuit is seeking additional protection under its new releasing scheme recently turned down by the

(*Continued on page* 4)

Buying Pool On

Harry C. Arthur, representing the Roxy, and Arthur L. Mayer, representing the Rialto, are discussing a buying pool covering both theatres. Not yet closed, one of the problems is to work out terms. A second is how pictures bought for both houses are to be accorded playing designation.

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Allied Men Pouring Into A. C. for Meeting

ATLANTIC CITY, Aug. 20.—With Sidney Samuelson, president of Allied, already here making preliminary preparations for the three-day annual convention of Allied of New Jersey and eastern regional units, the influx of eastern exhibitor members starts tomorrow, when at least 25 are expected.

About 300 in all are expected to attend the conclave. Abram F. Myers is slated to be the principal speaker at the opening session Wednesday.

Levine In from Coast

Nat Levine, head of Mascot Pictures, arrived from the coast by plane yesterday with a print of "Young and Beautiful," Mascot's new feature with the Wampas Baby Stars, which was screened during the day for independent distributors. Levine expects to remain here a few days only.

Baer's Para. Film Set

HOLLYWOOD, Aug. 20.—Max Baer's first picture since winning the heavyweight title will be "Kids on the Cuff," a fight yarn by Damon Runyon for Paramount. Adela Rogers St. Johns has been assigned the screen play.

Kirk Russell Dead; Remains Cremated

Kirk Russell, executive of the Hays office in charge of contact with newspaper editors, died Saturday and his remains were cremated yesterday afternoon.

Russell had been associated with Will H. Hays when the latter was postmaster general and joined the M. P. P. D. A. at its inception. His death, the culmination of a form of paralysis believed to have been precipitated by a bad throat, was preceded by a gallant fight which made it necessary for him to relinquish active duties along about last October.

He was over 60 and is survived by his widow.

Peter Clark Passes

Funeral services for Peter Clark, founder and head of Peter Clark, Inc., theatrical construction and equipment company, will be held tomorrow in the Actor's Chapel of St. Malachy's Church at 10:30 A. M.

Clark, who had been ill for the past nine months, died at his home in Fairfield, Conn., Sunday. He was 55 years old and is survived by his widow, two daughters and five sons.

Doubts Suicide Theory

HOLLYWOOD, Aug. 20. — Irene Franklin, widow of Jerry Jarnegin, stage and screen actor and composer, today doubted the police theory that her husband, found shot to death in his Toluca Lake home, was a suicide, although she admitted its possibility.

Services for Joseph Axt

HOLLYWOOD, Aug. 20.—Funeral services were held here today for Joseph Axt, father of William Axt, musical arranger for M-G-M. Axt was 73 years old and is survived by his son.

Force Dillinger Off

SAN FRANCISCO, Aug. 20.—Oakland clubwomen forced the Dillinger short off screens there after a two-day run. The picture flopped in San Francisco, although no protests were lodged against it.

Kent on Coast Today

ALBUQUERQUE, Aug. 20.—Sidney R. Kent passed through here tonight on his way to Movietone City, where he arrives tomorrow.

Decide Pathe's Plan At Sept. 11 Meeting

A special meeting of Pathe Exchange stockholders will be held Sept. 11 to vote on approval of the proposed plan of financial reorganization, it was stated at Pathe yesterday. Copies of the plan together with notices of the special meeting were mailed to stockholders last night.

The plan is understood to require approval of 60 per cent of the shareholders before becoming effective. Proxies representing 38 per cent of the shares are understood to be committed now.

Pugh Is Lining Up New Export Concern

Ralph J. Pugh, who established distribution in England for the original First National, is working on formation of a new export company to be known as the M. P. Export Corp. Thomas W. James will be president and treasurer and Pugh vice-president and general manager, as well as in charge of sales of independent pictures produced here and abroad.

Pugh will sail for the other side shortly to open offices.

Brecher to Succeed Blumenthal in ITOA

Leo Brecher is slated to succeed Louis F. Blumenthal as chairman of the board of directors of the I. T. O. A. when Harry Brandt, president, calls a meeting of the organization tomorrow at the Astor.

Blumenthal recently resigned when he sold an interest in four New Jersey theatres to Warners. Brandt returned from a Saratoga vacation yesterday.

Warns of "Red Herrings"

PHILADELPHIA, Aug. 20.—Statement of any organization to the effect the M. P. T. O. of Eastern Pennsylvania is "run by producers, distributors or any other group of men" is a "red herring" thrown across the trail, states "The Lowdown," bulletin of the organization.

Allied in S. & S. Circuit

A projectionists' contract for the six Small & Strausberg houses was closed by the circuit yesterday with Allied M. P. Operators Union. Small & Strausberg formerly employed Empire State operators.

Columbia Up ½ on Big Board

	High	Low	Close	Net Change	Sales
Columbia Pictures, vtc	29	28¾	29	+ ½	300
Consolidated Film Industries	2⅝	2⅝	2⅝	+ ¼	300
Eastman Kodak	98	98	98	.....	200
Loew's, Inc.	27	26⅝	26⅞	+ ⅛	700
M-G-M, pfd.	26⅜	26⅜	26⅜	+ ⅜	100
Paramount Publix	3⅜	3¼	3¼	.....	400
Pathe Exchange	1⅜	1¼	1¼	.....	800
RKO	2⅛	2	2	— ⅛	300
Warner Bros.	4⅛	4	4	.....	400

Sentry Sole Curb Opener

	High	Low	Close	Net Change	Sales
Sentry Safety Control	⅛	⅛	⅛	.....	100

Light Trading in Bond Market

	High	Low	Close	Net Change	Sales
General Theatre Equipment 6s '40	6⅞	6½	6½	— ¼	4
General Theatre Equipment 6s '40, ctf.	6	6	6	.....	1
Loew's 6s '41, ww deb rights	101	101	101	.....	1
Paramount F. L. 6s '47	41	41	41	+1	1
Paramount Publix 5½s '50	41⅜	41¼	41¼	— ¼	3
Warner Bros. 6s '39, wd	53½	53½	53½	+ ⅜	2

Purely Personal

GEORGE BROWN, HARRY ARTHUR, ARTHUR L. MAYER, JAMES A. FITZPATRICK, HERMAN RIFKIN, E. M. FAY, ROGER WOLFE KAHN, CHARLES MOSES, MOE STREIMER, EDDIE DOWLING, "BUGS" BAER, GEORGE WEEKS and SHERMAN KRELLBERG were among the diners at the Tavern around lunch time yesterday.

HERMAN RIFKIN and M. E. MOREY of the Boston Monogram exchange are in town conferring with EDWARD GOLDEN.

E. T. "PECK" GOMMERSAL is improving at the Joint Diseases Hospital after an operation.

MORRIS KINZLER celebrated his fifth wedding anniversary over the week-end.

A. H. MCCAUSLAND, head of the RKO receivership division, returned yesterday from a two weeks' vacation.

STUART WEBB, Pathe president, is ill at his country home at East Hampton, L. I.

HARRY D. GOLBERG is back from the Middle West. "The World in Revolt" occasioned the trip.

ED FINNEY returned from a vacation tour of New England yesterday.

HERMAN WOBBER leaves New York for San Francisco tomorrow.

HOWARD S. CULLMAN returns today from a 10-day vacation.

$61,000 in Four Days

"The Cat's Paw" approached a $61,000 gross at the close of business Sunday night at the Music Hall. The picture opened Thursday morning.

The Capitol did $30,000 with a second week of "The Girl from Missouri." The Roxy ended at $29,500 with a second week of "Handy Andy" and figures on $20,000 for the third and final week. The Mayfair grossed $7,500 with "Side Streets" and the Rialto, $8,000 with "Adventure Girl." Six days of "Housewife" and one day of "Dames" gave the Strand $17,321.

The first four days of "Dames" at the Strand saw 49,109 admissions pass through the doors, Warners declared yesterday. Over the week-end, admissions totaled 21,889. The company says the picture is the biggest at the house since the run of "42nd Street."

In the Sick Bay

John D. Clark of Fox is still registered at Mountainside Hospital, Montclair, but yesterday was reported getting along nicely. It's a case of bladder trouble.

Robert F. Sisk, of Radio conquered his arthritis over the week-end and was back on the job yesterday.

Coast I.T.O. Board Quits

LOS ANGELES, Aug. 20.—Headed by Ben Berinstein, the entire board of the I.T.O. of Southern California officially resigned today. Berinstein is now president of the newly formed Associated Exhibitors of Los Angeles.

Mortensen in Town

T. E. Mortensen, editor and Publisher of *Greater Amusements*, Minneapolis regional, is in New York on a combination vacation and business trip.

AND STILL THEY COME!

●

BUTTERFIELD CIRCUIT

W. S. Butterfield, President,
E. C. Beatty, Vice Pres. and Gen'l. Mgr.,

Operating 80 theatres in 32 Michigan towns and cities—Adrian, Alpena, Ann Arbor, Battle Creek, Bay City, Benton Harbor, Big Rapids, Cadillac, East Lansing, Flint, Grand Haven, Grand Rapids, Hillsdale, Holland, Ionia, Jackson, Kalamazoo, Lansing, Ludington, Manistee, Monroe, Muskegon, Niles, Owosso, Pontiac, Port Huron, Saginaw, St. Joseph, South Haven, Three Rivers, Traverse City and Ypsilanti—

sign for

UNIVERSAL

Features, News, Shorts and Serials for 1934-35

●

Thanks, **Messrs. Butterfield and Beatty, for your confidence in Universal Pictures. We will do our part!**

Concessions Not Hurting Films: MPTOA

(Continued from page 1)

grow that pictures are wishy-washy and namby-pamby as a result of the church crusade," the bulletin declares. "It is not true. Red-blooded, thrilling, dramatic entertainment is being shown, maybe minus the vulgarities and indecencies, but just as robust and with as much punch and entertainment value as ever. It's about time the exhibitor told his home folks that the show at his theatre is really better than ever before.

"Moreover, the problem of adjusting pictures to children's requirements is just as pertinent as ever. We still need family night programs and children's matinees, and genuine community support for these," the bulletin declares.

M. P. T. O. A.'s plan of providing a channel through which exhibitors may criticize pictures and make recommendations direct to producers is already proving successful, the M. P. T. O. A. bulletin reports, although actual operation of the plan was undertaken only a few weeks ago. Hundreds of letters are being received by the committee in charge and are being forwarded direct to the studios whose pictures are specifically commented on by exhibitors, it is stated.

Not Worried by Campi Ruling

That the M. P. T. O. A. campaign against double features will not be retarded by the recent resolution of Code Authority prohibiting clearance and zoning boards from drawing up schedules based on whether an exhibitor operates on a dual policy or not, is made clear in the organization's bulletin.

"Fortunately," the bulletin states, "rulings of the Code Authority can be reversed at any time by a majority vote. The resolution applies only to zoning plans made by a local clearance and zoning board. There is nothing in the code to prevent individual exhibitors taking clearance as they see fit over double feature houses."

The bulletin, in discussing national exhibitor plans for opposing the proposed music tax increases sought by ASCAP admonishes all counsel for local exhibitor organizations to withhold filing of anti-trust actions against ASCAP to "avoid beclouding the issues and to save expense." The national exhibitors' legal fight against ASCAP will be undertaken by a nationally recognized law firm, the bulletin points out.

Immerman, Kaufman In

Walter Immerman, general manager, and Abe Kaufman, film buyer of the B. & K. circuit, are in town on new deals. The Chicago men are dickering with M-G-M and Paramount and expect to close before returning west the end of the week.

Schenck Goes West

Joseph M. Schenck, president of United Artists, leaves for Hollywood today. He has just returned from a European sojourn during which he conferred with United Artists executives abroad.

ITOA to Push Duals War; Warners to End N. J. Twins

(Continued from page 1)

expressed willingness to cooperate provided all other houses eliminate twins. Reade has gone on record for singles, but is understood showing doubles in four New Jersey houses. RKO, while not definitely committed to writing, is understood ready to drop duals along with the rest of the major circuits.

Allied's members are signing up every day and expectations are that the entire membership will swing to the plan before the three-day convention in Atlantic City winds up Friday night.

(Continued from page 1)

be taken into consideration before duals can be disposed of. He said prices and outside attractions, like vaudeville, are two factors to be considered before any move can be finally agreed upon. He added he doesn't know whether twins can be eliminated this season, but has hopes some arrangement can be effected.

4 Zoning Appeals For Hearing Soon

(Continued from page 1)

have been invited to attend in an advisory capacity.

The second hearing will be Aug. 28, when the Cincinnati, Columbus and Dayton schedule will be discussed. On Aug. 29 the Cleveland and Toledo schedule comes up for protest, and on Aug. 30 the Detroit plan will be aired.

The move to hear appeals on schedules in New York automatically does away with a plan proposed by Campi recently to have field bodies hear protests. Exhibitors in each territory are invited to come to New York for protests.

Yesterday a joint meeting was held at the M. P. Club of the clearance and zoning and grievance committees, comprising Harold S. Bareford, Jack Cohn and Louis Phillips. The last named substituted for George Schaefer.

N. Y. and L. A. Cases Before Appeals Board

Appeals from two Los Angeles and one New York decision were heard yesterday by a Campi committee consisting of Charles L. O'Reilly, chairman; Nat Cohn and Julius Charnow.

Cases appealed were: Mrs. Jenne H. Dodge, Mission, Ventura, Cal., against Fox West Coast, American Amusement Co., Principal Theatres, Inc., Ventura theatre, Ventura, involving reduced admissions; John T. Rennie & Son, Rennie, San Fernando, Cal., against Feldstein and Dietrich, San Fernando, San Fernando, on reduced admissions; Port Jefferson, Port Jefferson, N. Y., against Smithtown, Smithtown; Sayville, Sayville; Patchogue and Granada, Patchogue; Riverhead and Glen Cove, Huntington and Huntington Station, L. I., on clearance and zoning.

Producer Assessing To Highlight Campi

(Continued from page 1)

discard the original schedule for raising $180,000 and draw up a new plan.

Principal topic of discussions will be designation of a common denominator for taxing distributors and producers according to annual gross income.

Alleged code violations in new sales contracts also are on the tapis.

Felix Feist Elected Head of M. P. Club

(Continued from page 1)

foreign sales head. Joe Brandt, former head of Columbia, was elected treasurer as successor to Herbert R. Ebenstein. The number of executive secretaries was increased to two, with Arnold Van Leer named to assist Tom Wiley, who was re-elected.

Elected to sit on the board of directors were Will H. Hays, M.P.P.D.A. chief; Jack Cohn, vice-president of Columbia; Herbert J. Yates, president of Consolidated Film Industries; Adolph Zukor, head of Paramount; Carl Laemmle, Universal president; Jules Brulatour and Al Lichtman, vice-president of United Artists.

Completion of plans for the formal inauguration of the clubs's forum sessions next month was outlined. It was also said that during the coming autumn and winter the club would conduct its activities on a larger scale than at any time in its history. One of the innovations planned is previews of new pictures on Sunday evenings.

Mexico City Stage in Move to Curb Screen

(Continued from page 1)

unions, who demand that action be taken to prevent Mexico City from becoming a capital city of the world without a single house devoted to the drama. Most of the theatres in the Mexican capital have gone pictures, while others are headed in the same direction.

While the unions admit that legitimate theatre-going is not popular here, they assert that the stage keeps alive national art and culture and is the means of keeping Mexico from being swamped with alien customs through the medium of the screen, which provides the Mexicans with their sole diversion in the theatre.

The unions assure the city their utmost support if it contributes toward maintaining the stage as a living institution.

Flash Reviews

She Was a Lady—Of average calibre . . . acting deserves praise. . . .

Young and Beautiful— . . . above the usual independent effort. . . .

These films will be reviewed in full in a later issue of Motion Picture Daily.

Holland May Hike Tax

London, Aug. 20.—Reports from The Hague indicate the Dutch Government is contemplating an increase in foreign import duties.

Courts to Be Used to Meet ASCAP Issue

(Continued from page 1)

suits against ASCAP on behalf of radio broadcasters.

Actual retention of Baker's firm may not occur until next week, however, as a meeting of the legal committee of the exhibitors' emergency committee planned for that purpose may not be held this week, due to the absence from the city of Leopold Friedman of Loew's, chairman of the legal committee, who is not expected back at his office before the week-end.

If the test cases prove successful, some exhibitor leaders are of the opinion that exhibitors may have a cause of action for recovery of music taxes paid to ASCAP in the past.

Portland, Aug. 20.—Five suits charging infringement of copyrighted music by unauthorized public performances were filed today against exhibitors here by the ASCAP and Remick Music Corp. The actions also seek a restraining order against the defendants.

B. & K. Appeal Puts Back Chicago Sales

(Continued from page 1)

local clearance and zoning board is slowing up selling in this territory.

Exhibitors attending the first meeting in some months called by Aaron Saperstein, Allied president, admitted they were not being besieged to sign up on new product. Selling is in full swing outside of the city, but local exchange managers are wary in committing themselves to deals in the metropolitan area before getting a better line on the B. & K. protest.

In virtually all cases heard here on which protests have been filed the determination of the local boards has been upheld by Code Authority. This fact is something of a secret pride with local board members.

Zoning Plaint Scheduled

Cleveland, Aug. 20.—The clearance and zoning board meets Tuesday to hear the protest of William Weiss, Mall, against the zoning of the Mall, Strand, Standard and Carter as set up in the clearance and zoning schedule. The schedule, protested to Campi, provides that clearance and zoning for these houses be established on the basis of their matinee admission prices, while other houses are classified according to adult night admission. The theatres involved are all downtown subsequent run houses.

Portland Board Meets

Portland, Aug. 20.—No action was taken by the grievance board at its regular meeting here.

Col. Meets Sept. 20

The annual meeting of Columbia's board of directors is to be held Sept. 20. Harry Cohn will be east for it, but may arrive earlier to take in the opening of "One Night of Love" at the Music Hall Sept. 6.

The Leading Daily Newspaper of the Motion Picture Industry

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Alert, Intelligent and Faithful Service to the Industry in All Branches

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Pathe Clears Finance Path To Expansion

To Sponsor Pictures, Is Renewed Report

A contemplated expansion of activities by Pathe is provided for in the plan of financial reorganization which will be submitted to stockholders at a special meeting on Sept. 11, it was disclosed yesterday in a letter sent to shareholders by Stuart Webb, company president.

Whether Pathe's expansion plans contemplate financing of production, as reported some time ago, could not be learned yesterday due to Webb's absence from his office and the unwillingness of other officers to comment. The proposed financial reorganization, however, makes provision for new working capital up to

(*Continued on page* 12)

NRA Asked to End Ban on Premiums

WASHINGTON, Aug. 21.—Elimination of restrictions against the use of premiums by exhibitors has been suggested to the National Recovery Administration by theatre owners in many sections of the country, it was learned today, and the highly-controversial clause may eventually be dropped from the code. Any steps

(*Continued on page* 10)

Finish 'Legit' Code Session; Go to NRA

Hearings on the NRA code for the legitimate theatre were concluded by the code authority for that industry at the League of N. Y. Theatres offices in the Paramount Building yesterday and a transcript of the hearings is being forwarded to Division Administrator Sol A. Rosenblatt at Washington today.

Votes by representatives of the industry were registered during the

(*Continued on page* 10)

NRA's Amusements Setup May Change

WASHINGTON, Aug. 21.—Reorganization of the National Recovery Administration may result in the creation of a new section handling exclusively amusements and promotion, Deputy Administrator William P. Farnsworth indicated here today.

Although details are far from set-

(*Continued on page* 10)

Chicago in a Price Confab; Favors Tilts

Hard to Figure—Scales Going Down, Not Up

CHICAGO, Aug. 21.—Higher admission prices on new season's product are being discussed by exchanges and exhibitors here in face of the recognition that the situation represents a difficult problem since admissions locally have been skidding in the past few months. Especially is this true in the Loop where the latest sag saw the RKO Palace drop from 75 to 50 cents top. The Oriental also went to lower prices a few months ago.

One plan under discussion is the designation of a number of "specials"

(*Continued on page* 12)

No Rosenblatt Move In ASCAP Dispute

WASHINGTON, Aug. 21.—Division Administrator Sol A. Rosenblatt has made no attempts to intervene in the scrap between the American Society of Composers, Authors and Publishers and exhibitors over increased music license fees, the NRA official said today.

Remarking that his services or assistance had not been sought in the dispute over higher charges, Rosenblatt made clear that he was not refusing to aid exhibitors if requested but that so far he has not been asked to take a hand in the controversy.

Move to Fight ASCAP With Baker Looming

Negotiations for the retention of Newton D. Baker's law firm to lead the national exhibitors' emergency committee's legal battle against the American Society of Composers, Authors & Publishers are expected to

(*Continued on page* 12)

Seal to Outsider

Hollywood, Aug. 21.—Indicating anew the willingness of Production Code Administration, Hays-sponsored and financed, to accord product of non-members the identical privileges of members, Joseph I. Breen has passed "She Had to Choose."

This is a Majestic release, now stamped with Certificate No. 170.

Samuelson on Salary Basis, Allied's Idea

By WILLIAM ORNSTEIN

ATLANTIC CITY, Aug. 21.—Members of Allied of New Jersey will offer Sidney Samuelson an annual salary, about $5,000, for his services as head of the unit, MOTION PICTURE DAILY learned tonight, on the eve of opening of the 15th annual convention of the unit and eastern Allied regional.

Samuelson during the past few weeks has not committed himself definitely as a candidate for reelection, but it is understood the membership will not let him resign. The New Jersey

(*Continued on page* 10)

Loew Officially for Dual End in Jersey

Loew's yesterday went on record officially in favor of dropping duals in New Jersey, provided all other theatres follow the same plan. A brief

(*Continued on page* 12)

Considering Mason To Head Dual Fight

Independent producers and distributors may retain Lowell Mason as counsel in their fight on bans on dual

(*Continued on page* 12)

Cullman a Chiseler—Brandt; Code Board Reserves Ruling

The New York grievance board yesterday reserved decision on complaint of the Roxy against the Globe for distribution of service passes.

During the hearing Harry Brandt, operating the Globe, charged Howard S. Cullman with being a "chiseler," after correspondence between Cullman and a Warner executive was read into the minutes. Brandt stated: "I don't know why Cullman has set himself up as a policeman for the industry in carrying out the code."

Irving Lesser, managing director for the Roxy, strenuously objected to

(*Continued on page* 10)

Independents Swing Toward MPPDA Seals

Some Still Favor Campi Supervision

HOLLYWOOD, Aug. 21.—A majority sentiment of independent producers in favor of submission of pictures to the Production Code Administration and the marking of approved pictures with the code seal is reported to have been voiced at a meeting of independent producers which lasted into the early hours of today.

Dissenting voices, however, were admittedly raised and a strong independent faction is reported still to favor scrutiny of productions through Code Authority machinery working under that section of the code which relates to observance of the production code of morals.

Pending a second meeting of the independents on Wednesday morning, at which a final decision is anticipated, comment on last night's meeting was

(*Continued on page* 12)

Zukor Envisioning Coast as the Hub

HOLLYWOOD, Aug. 21.—Hollywood may become the hub of the industry in financial and company organization matters as well as in production, it was indicated today by Adolph Zukor, president of Paramount.

Zukor also said in the future he will make the local studios his headquarters and devote most of his time to production. Heretofore he has maintained offices in New York.

Ticket Tax Receipts In July Above 1933

WASHINGTON, Aug. 21.—The Federal Government's receipts from admission taxes during July were $70,000 greater than a year ago, the Treasury Department announced today.

Collections amounted to $1,046,162 as compared with $972,627 in the 1933 month.

Mayor Orders Unions End Mass Picketing

The mass picketing of the Loew houses in the city by Allied M. P. Operators' Union, Local 306 rival, drew the fire of Mayor LaGuardia at a hearing yesterday. The mayor ordered a halt to picketing activities and

(*Continued on page* 10)

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Advertising Manager

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Kinematrade Gets Chandler Westerns

Kinematrade, Inc., has closed with H. and H. Prod. of Hollywood to produce six all-star westerns. Lane Chandler will be starred.

Two additional series of six each are contemplated by Kinematrade as part of its plan to enter general distribution.

Grisier Heads Sign Men

ST. LOUIS, Aug. 21.—Orville Grisier of Denver, was elected president of the Associated Sign Contractors of North America at the annual convention of that organization held here. Fred A. Zimmerman of Dallas was made vice-president, and M. J. Seibert of Cincinnati, secretary. W. N. Mackay of Cincinnati was appointed executive secretary. The 1935 meeting will be held in Cincinnati.

New Technicolor Stock

Stockholders of Technicolor, Inc., approved a proposal eliminating the 100,000 shares of preferred stock of the company and increasing the common stock outstanding from 800,000 shares to 1,000,000 shares at a special meeting yesterday.

Officials described the action as a routine procedure in the company's plan for revising its capital structure as decided on several months ago.

Insiders' Outlook

YOU'LL see less in the daily prints now about the Legion of Decency. Don't allow yourself to draw any rash conclusions, however. The interchange of friendly correspondence between Will H. Hays and Archbishop John T. McNicholas, chairman of the Catholic Bishops' Committee on Motion Pictures, laid down the basis of an accord between industry and church. That much has been accomplished and that's plenty enough to be satisfied with and about. . . .

▼

But continuing very much on trial is the industry. Galvanized into action several years after completely ignoring the storm signals which sober observers had been flying, the business did a good job, as it sometimes does when poked sufficiently hard. The procedure has resulted in a definite commitment and a solemn promise from which there can be no walking without consequences potentially and actually dire. This is why it is of the utmost importance to remind again, to stress again and to repeat again a cautionary admonition against any rash conclusions that the battle is over. . . .

▼

It is not. It is, on the other hand, within grasp of victory provided the letter of the promise matches minutely and exactly its spirit. Implied by Archbishop McNicholas, but not so declared in words, is that the Legion of Decency's activities will be lulled into slumber for the time being. At the same time, an even casual reading of his letter to Hays makes it most clear the Legion's line and front are to continue unbroken and that the phalanx once more will be ordered to advance if the bad boys in Hollywood don't wash their hands. All of the hell raised by the Decency movement came about through a momentum which the Catholic Church had not planned to unleash until the cool weather had arrived. If the panic precipitated came as the result of a more or less sporadic and haphazard growth, imagine what the real march would have done by October. . . .

▼

Press yarn from Paramount, timed for release with Adolph Zukor's arrival back on the coast, that Hollywood may be the nub and the hub of the industry in ways other than production, is a revival of what others have thought from time to time. Like earlier stories, Zukor's slant, not new and so not startling, is no closer to consummation than it was when first offered to editors for their consideration years ago. There always have been those who liked to cite the comparison with industries maintaining financial and managerial vigil alongside their factories. . . .

▼

Arrival here in a day or so of Mark Ostrer, member of the British banking firm which financially sponsors Gaumont British, will bring to a head plans of that organization to establish itself as a distributor in this market. Jeff Bernerd, advance man, so to speak, and drummer-upper of arrangements subject to Ostrer's final say-so, has been talking in several directions. One has centered around 10th Ave. and the high Fifties where Sid Kent makes his office. The talk has been Fox will physically distribute G. B.'s line-up, salesmen, however, to be Gaumont's. . . .

▼

Looks that remind somewhat of Kay Johnson, a "quality" air that is reminiscent of the type performance rendered by Irene Dunne and Diana Wynyard, and a charm of her own make Binnie Barnes, English actress who debuts in this country in "There's Always Tomorrow" (Universal), a newcomer of considerable promise. Subscribing in no wise to the Hollywood "cutie" formula, Miss Barnes creates an impression that she is made of real substance. The picture, about which more later, is tempered in an understanding mood, clothed in homespun, and credibility. In other words, quite an attraction. . . .

▼

Joe Kennedy may be in government service now as head of the stock exchange commission, but his faithful minions—Scollard, Delehanty, et al—are talking a film comeback. That would mean Kennedy would know all about it, step by step. . . . Now it's Mike Meehan, big boy in KAO, and Dave Sarnoff, big boy in RKO, who apparently are having their differences. These things have a way about them and it is often mysterious. Like the acorns that grow the oaks, big squawks from littls squeaks in this industry often spread. . . .

KANN

Pathe "A" Up One on Big Board

	High	Low	Close	Net Change	Sales
Columbia Pictures, vtc	30	29	30	+1	600
Consolidated Film Industries	2¾	2¾	2¾	+ ⅛	100
Consolidated Film Industries, pfd	13½	13½	13½	.....	100
Eastman Kodak	98½	98¼	98½	+ ½	500
Fox Film "A"	10½	10½	10½	+ ⅛	400
Loew's, Inc.	28	26¾	28	+1⅛	1,500
Loew's, Inc., pfd	90¼	90¼	90¼	— ¾	100
Paramount Publix, cts	3¾	3¼	3⅝	+ ⅜	6,800
Pathe Exchange	1¼	1¼	1¼	.....	1,500
Pathe Exchange "A"	15½	15	15½	+1	200
RKO	2	2	2	.....	200
Warner Bros.	4⅜	4⅜	4⅜	+ ⅜	3,900

Technicolor Gains ⅝ on Curb

	High	Low	Close	Net Change	Sales
Technicolor	12⅜	12	12⅜	+ ⅝	200
Trans Lux	1¾	1¾	1¾	.....	100

Para. F. L. Bonds Soar 5½ Points

	High	Low	Close	Net Change	Sales
General Theatre Equipment 6s '40	6¾	6½	6½	.....	2
General Theatre Equipment 6s '40, ctf	6	6	6	.....	7
Keith B. F. 6s '46	59½	59½	59½	—1	1
Paramount Broadway 5½s '51	37	37	37	+ ½	5
Paramount F. L. 6s '47	48½	42¼	47½	+5½	32
Paramount Publix 5½s '50	47½	42¾	47¼	+4¼	38
Warner Bros. 6s '39, wd	56	55	56	+2½	34

Monogram to Adhere To Program Planned

Monogram will adhere to its announced program of 20 features and eight westerns for next season, even though Campi has ruled a "hands off" policy on duals through insistence that clearance cannot be determined on such a basis. This statement of company policy was released in New York yesterday on behalf of W. Ray Johnston, Monogram president.

4 Holdovers for B'way

Four holdovers are slated for Broadway. They are "Cat's Paw" at the Music Hall, "Dames" at the Strand, "Cleopatra" at the Paramount and "Bulldog Drummond Strikes Back" at the Rivoli. New attractions are "Hideout" at the Capitol, "Charlie Chan's Courage" at the Roxy and "World Moves On" at the State. The Rialto last night changed its program with "The Dragon Murder Case" as the new feature.

New Ass'n Bides Time

LOS ANGELES, Aug. 21.—Further activity in Associated Exhibitors, Inc., which organized recently and promptly affiliated with the national M. P. T. O., has gone into a temporary eclipse until additional plans are rounded out.

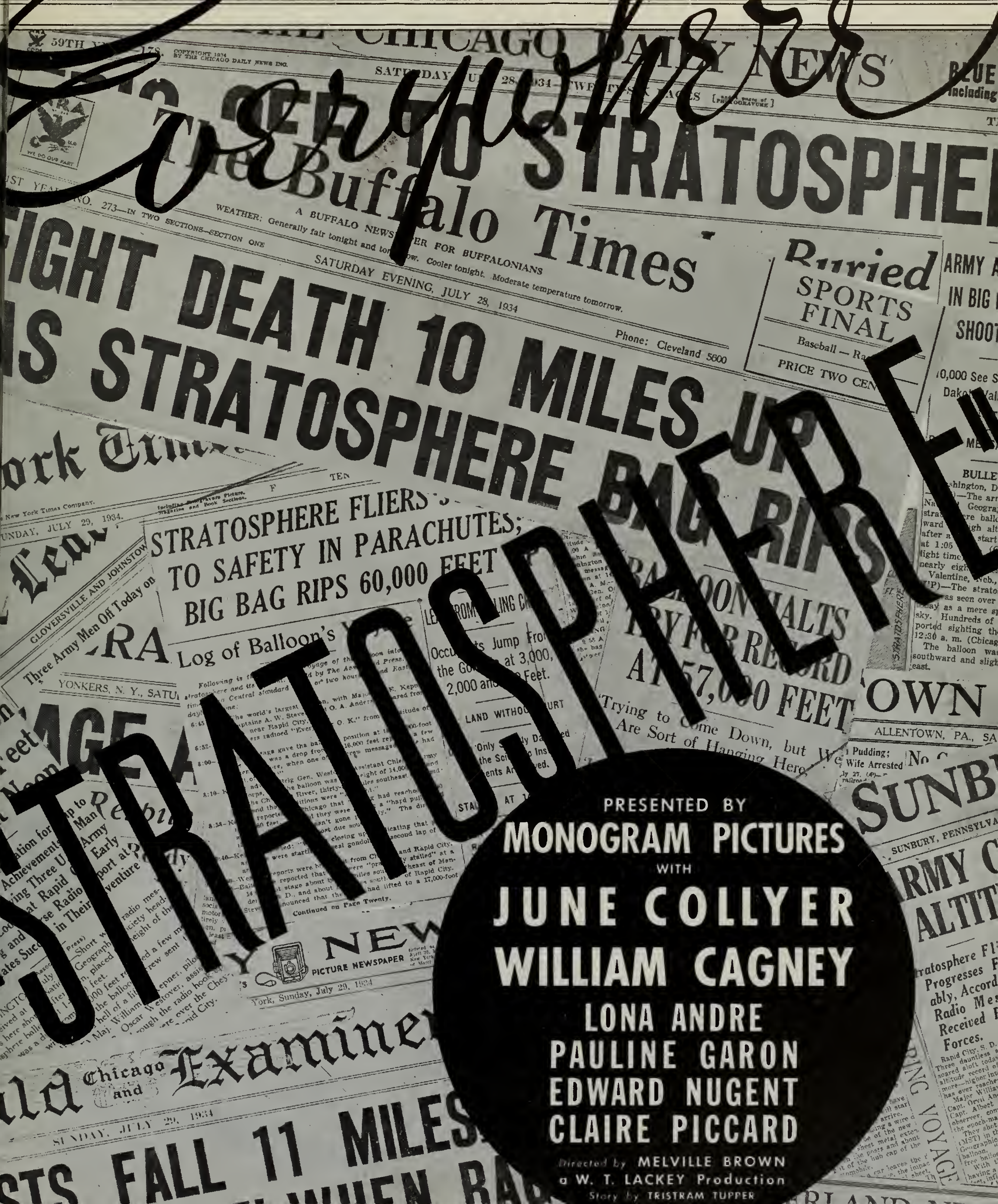
Kent Arrives on Coast

HOLLYWOOD, Aug. 21.—Sidney R. Kent arrived here today from New York for conferences with Fox studio executives.

HEADLINE NEWS

MONOGRAM PICTURES

Everywhere!



"STRATOSPHERE"

PRESENTED BY
MONOGRAM PICTURES
WITH
JUNE COLLYER
WILLIAM CAGNEY
LONA ANDRE
PAULINE GARON
EDWARD NUGENT
CLAIRE PICCARD
Directed by MELVILLE BROWN
a W. T. LACKEY Production
Story by TRISTRAM TUPPER

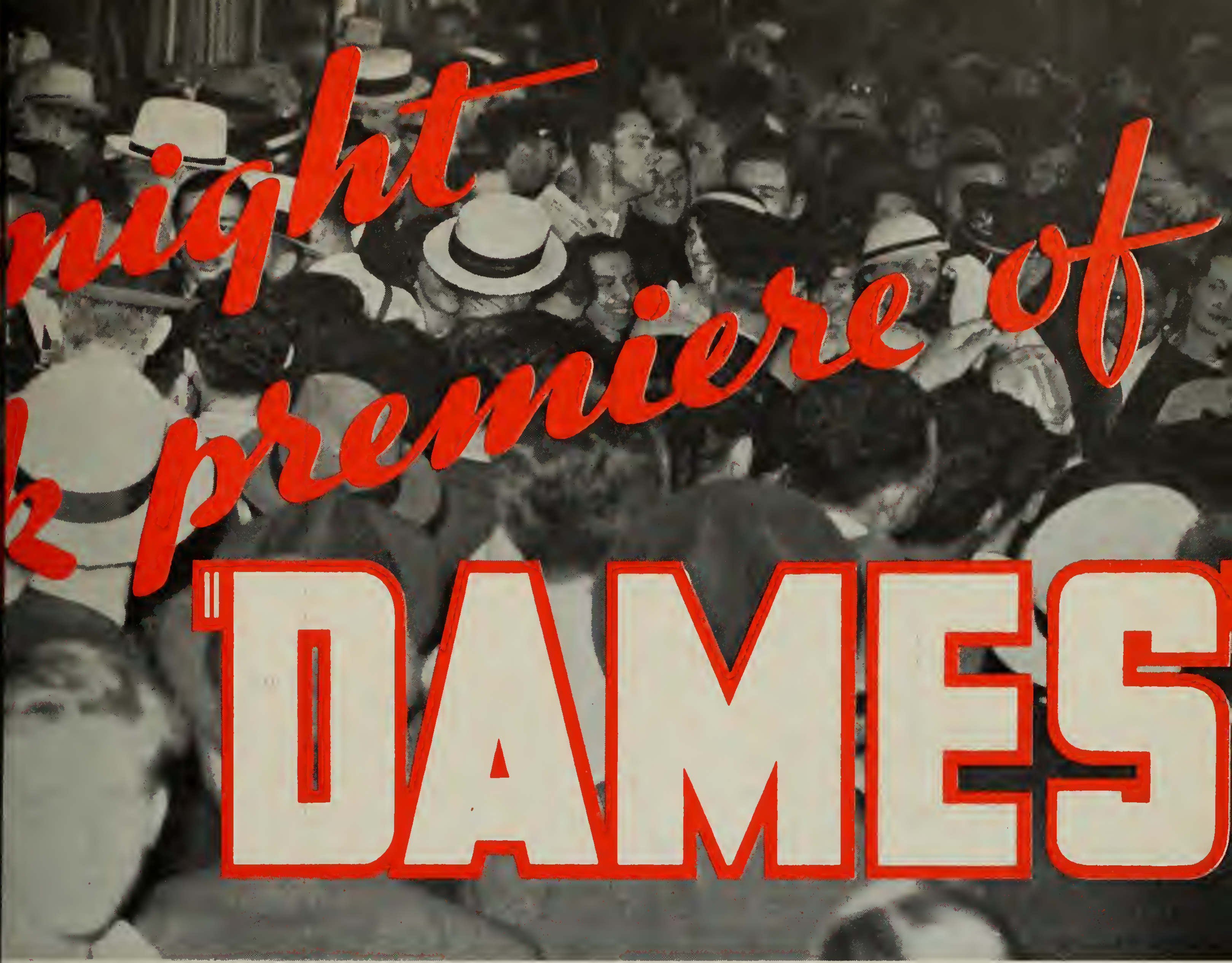
AND IT'S BEEN HAPPENING EVERY MINUTE SI

STOPPED TIME AFTER TIME! ALL "42ND STREET" AN

POSITIVELY FIRST 5-FIGURE WEEK-DAY SINCE "LITTLE CAESAR"
(and we said positively!)

Hartford, New Orleans, Buffalo, Syracuse, Denver, Milwaukee all say the same—" 'DAMES' IS NOT ONLY AS BIG AS '42nd STREET' and 'GOLD DIGGERS'

...IT'S BIGGER!"



E, WITH CONTINUOUS CAPACITY! TICKET-SALE

GOLD DIGGERS" RECORDS DUMPED IN THE DISCARD!

PASTE THESE ON YOUR MARQUEE!

"Audience gasped" . . . . . Times
"Best Warners have produced" Telegram
"You'll go for 'Dames'" . . . American
"Maintains the Warner quality" . News
"Audience roared". . . . . . Sun

Isn't Life Warnerful!

Starring Ruby Keeler, Dick Powell, Joan Blondell, Zasu Pitts, Guy Kibbee, Hugh Herbert. Directed by Ray Enright. Dances created and arranged by Busby Berkeley. Songs by Warren & Dubin, Kahal & Fain, Wrubel & Dixon.

Eckman Replies to Bernerd Criticism

LONDON, Aug. 21.—Sam Eckman, Jr., managing director of M-G-M here, takes a hot shot at Jeffrey Bernerd, Gaumont British executive now in New York arranging for his company's own distribution.

"I have noticed my friend, Jeffrey Bernerd's, statement regarding American films in MOTION PICTURE DAILY of Aug. 6. With all due respect, he is talking through his hat. I would suggest he devote his time and attention to the marketing of his own films without concerning himself about American films in England.

"If he were to contact his company's theatre department more closely, he would realize that it is using more American films this year than last. As a matter of fact, all American company business is bigger this year than last.

"If Jeffrey has not seen any recent magazines, I will send him a supply ranging in price from a penny to a shilling so that he would appreciate that the demand for American star photographs and fashion notes is greater than ever.

"Perhaps the heat is affecting my friend."

Britishers are shying clear of American product and demanding home-made pictures, Jeffrey Bernerd said in a statement published in MOTION PICTURE DAILY Aug. 6.

"About 90 per cent of American pictures released abroad are flops. The public in England is getting sick and tired of what various actresses wear and what they don't wear," he said at the time.

Zanuck Re-Signs Long

HOLLYWOOD, Aug. 21.—First writer to be signed by Darryl Zanuck for 20th Century's new season is Hal Long. The deal, closed by telegraph from New York, is in the nature of a renewal for Long.

Shea Record Topples

BUFFALO, Aug. 21.—Opening day records of three year's standing were broken the first day of Fred Waring's Pennsylvanians at Shea's Buffalo, with "The Old Fashioned Way" on the screen.

Gets Spanish Feature

Intercontinent Film Corp., headed by M. D. Strong, has closed for world distribution on "El Escandalo" ("The Scandal"), produced by Ren-Mex Films.

Delay Brooklyn Opening

Because of indecision on policy, the Paramount, Brooklyn, is not expected to reopen Aug. 31 as originally announced. The house will probably open a week or two later.

Nazis Ban U.S. Film

BERLIN, Aug. 21.—"Hollywood Party" was banned in Germany by the censor today. No explanation was offered.

Brandt Adds Two More

Increasing his circuit to 26, Harry Brandt yesterday closed deals for two additional theatres in the local area.

Cameo Is Now Dark

The Cameo is closed for the first time in two years.

"It's great in CHICAGO!"
"A winner from the start! Drawing every type of audience!" —VARIETY
Of course it's Ronald Colman in "Bulldog Drummond Strikes Back"

What N. Y. Critics Think

Consensus of New York critical newspaper opinion on pictures current along Broadway:

"Treasure Island"
(*M-G-M*)

American—. . . It's a full-flavored, salty saga of the seven seas, liberally sprinkled with buccaneer blood, pirate gold, and all the lusty incidents that has endeared the tale to readers of three generations. And Metro has endowed the piece with cast and setting that add to its delights. The film is fascinating fun for all audiences, adult or adolescent.

Daily Mirror—. . . makes a thrilling, amusing and highly unusual picture for the whole family; and one which will delight the little boys. Elaborately produced, skillfully adapted to the screen, it features an exceptional cast, from Wallace Beery and Jackie Cooper down to the grimiest pirate of the Spanish Main.

Daily News—. . . has been given an elaborate and careful production. . .

The picture would be much improved by cutting. Each scene is dragged out tou long and the whole film adventure runs to a tiresome length. Long before young Jim says his tearful farewell to Long John I found myself yawning a fatigued yo-ho.

Evening Journal—. . . children will be delighted with M-G-M's film translation of the Robert Louis Stevenson classic.

"Treasure Island" is a picturesque production, a handsomely mounted piece filled with beautiful sea shots, square rigged schooners and bold bad buccaneers. The cast is large and able, and director Victor Fleming provided plenty of action in addition to stunning scenic effects.

Herald-Tribune—. . . proves to be of vast nostalgic charm, if not of overwhelming excitement. If the picture seems just a trifle more concerned with a good-natured fairy tale quality and a calm sort of pastel melodrama than with machine-gun movement, both the credit and blame go to the fidelity with which the letter and spirit of the novel have been followed. Despite the throat-slitting and blood-letting of the work, there is more charm than ferocity in the tale. just as the author had planned it.

Post—***with its bludgeonings, its bravado and its romantic quest for hidden treasure, comes close to filling the entertainment bill for old and young. Possibly the young will get more pleasure out of it, particularly those who haven't read the book, since it must be admitted that the picture falls short, and necessarily so, of the insistently lifting charm which Stevenson's writing gives to the story.

Sun—. . . a swashbuckling romance of buccaneering days, with all the blood and thunder that human nerves can stand.

Times—Although there are occasional studio interpolations, the present screen offering is a moderately satisfactory production. It has not the force or depth of the parent work and, kind as one might wish to be to the adaptation, it always seems synthetic.

Warld-Telegram—Here's a dashing, swashbuckling piece of adventure screen entertainment. . . They're all there to give you as thrilling, exciting and enjoyable a two hours as you will experience in a month of Sundays of movie going.

Morning Telegraph—It's all very interesting—and all very much worth your while.

"Treasure Island" is splendid entertainment. All I can say about it is summed up in that sentence. It boasts of directorial intelligence. thanks to the megaphonic foresight and understanding of Victor Fleming.

"The Defense Rests"
(*Columbia*)

American—A crackling, lively melodrama, full of unexpected twists and sustained suspense. ***

Daily Mirror—***reveals nothing new. It shows, merely, that even a naughty criminal lawyer will draw the line at kidnaping.

Herald-Tribune—***Mr. Holt, as usual, gives a vigorous, straight-forward performance, and the story up to a point is convincing, yet there is an incompleteness about it, even a drabness, which puts it into the routine class. Nevertheless, as such, it is fast moving, lively entertainment.

Past—The story is dramatic and neatly worked out, even though the material is familiar.

Times—The story is interestingly woven and its telling is sufficiently swift to hold the visitor's interest. Mr. Holt and Miss Arthur are about as usual, which is to say they do all that can be reasonably expected of their roles.

World-Telegram—***There is really nothing in the film with which one can seriously quarrel. A well-made, well-acted, reasonably entertaining story, its chief fault is the familiarity of its theme.

"Empress" at Apollo

CHICAGO, Aug. 21.—B. & K. will open the Apollo, former dramatic house at Clark & Randolph Wednesday. The theatre has been completely remodeled by Rapp & Rapp and boasts an unusual exterior sign and marquee. "Scarlet Empress" is the initial attraction. Admission will be 25, 35 and 50 cents, plus tax.

Abeles Quits Mundus

Arthur Abeles, Mundus representative working out of the New York U. A. exchange, has resigned. No successor has been appointed.

1909 Sabbath Ruling Stirs Seattle Fuss

SEATTLE, Aug. 21.—If Seattle police insist upon enforcing a 1909 Sabbath closing law which makes it illegal for restaurants to sell beer within the city limits, Ben Paris, restaurant proprietor of this city, declared yesterday he would use his authority as a special deputy sheriff to force closing of all theatres and baseball games on Sundays. These amusements, declares Paris, are also prohibited under the same law.

Sheriff Claude Bannick, advised of Paris' threat, stated that his office would take no part in any closing program against amusement enterprises, and that if Paris insisted upon a "one-man" program of enforcement against these theatres his commission as a special deputy would be immediately withdrawn.

Two Capitol Houses Too Much for Detroit

DETROIT, Aug. 21.—A fight is brewing here over a six-lettered word spelling C-A-P-I-T-O-L.

George W. Trendle, United Detroit Theatres, claims he has a prior right to the tag stating that the building housing the theatre now called Paramount was always the Capitol Theatre Bldg. and never was dropped.

When Alex Schriber reconditioned his Ferndale, a west side "nabe" house, he acquired the name of Capitol and things have been rosy up until the last two weeks, when Trendle wanted the old name back. Schreiber refuses to budge from his stand and Trendle has changed all signs and copy on the old Paramount to the former tag. So now Detroit has two Capitols.

Neuman with Zeidman

HOLLYWOOD, Aug. 21.—Kurt Neuman is set to direct "I've Been Around" for Universal. This will be the first of four B. F. Zeidman productions on the producer's new ticket and starts shooting on completion of "Zest," Zeidman's last on the old contract.

Looking 'Em Over

"She Was a Lady"

(*Fox*)

Of average calibre, "She Was a Lady" repeats the tale of the suffering that lovers must endure when they are of different stations in life. While the story is familiar, it is told with such a feeling for human values that it holds the interest. The early chapters, laid in a mountain village of Montana, are so touched with tenderness that they are quite affecting. These sequences, also rich in pictorial beauty, are the best part of the picture.

The suffering pair here is Helen Twelvetrees and Donald Woods, an easterner, son of a fruit magnate. They meet when he comes to the Montana ranch where the girl is engaged as a riding instructor. She refuses to become his wife until he can prove himself something more than a playboy. Off he goes to South America to work for his father. On his return she accepts his proposal. The boy's father is opposed to her because she is not on the same social footing. Remindful of the unhappy marriage of her parents—her mother (Doris Lloyd) had been a servant in her father's (Ralph Morgan's) home in England—Miss Twelvetrees agrees not to marry the boy without his dad's consent. The film puts her through considerable torture before the old man regrets his attitude and gives his sanction to the romance.

The acting deserves praise. Among the other players are Monroe Owsley, Paul Harvey, Barbara Weeks, Jackie Searl, Karol Kay and Ann Howard. Al Rockett produced, while Hamilton MacFadden directed. Running time, 77 minutes.

MOTION PICTURE DAILY'S HOLLYWOOD PREVIEW

"Young and Beautiful"

(*Mascot*)

Hollywood, Aug. 21.—Aside from auspiciously bringing back William Haines in a refreshing role, Mascot's first fling with a big-time feature is a credit to that organization, as it would be to a major company.

It is well cast, with Judith Allen, Joseph Cawthorn, John Miljan, Shaw and Lee, Vince Barnett, Ted Fiorito and the Wampas "baby stars." It is especially well directed by Joseph Santley, whose apt handling of people and timing reveal a distinctive quality. The production in sets, lighting, camera work, costuming and ensembles is above the usual independent effort.

The story is backscreen stuff. Press Agent Haines loves Miss Allen, a "baby star." He front pages her by imaginative ingenuity, wrangles a contract from Cawthorn, poses her with celebrities, makes her the object of his exploitation stunts until, in a rebellious pique, she steps out with Sugar Daddy Miljan. Haines' reconciliation with Miss Allen is another stunt, and the honeymoon winds up the film with laughter.

Showmanship values of girls, music, romance and comedy are neatly spotted. Palpable Mobilgas advertisement in the film may cause comment at the box-office. This one should do well as an unusual independent program feature with a clean appeal. Running time, 75 minutes.

"The Dragon Murder Case," last night's opener at the Rialto, was covered by wire from Hollywood on Aug. 7.

Split "U" in Pittsburgh

Pittsburgh, Aug. 21.—Universal product, which has gone to Warners here for several years, will be split this season between the Alvin and the Fulton, each getting 50 per cent of the output. Warners, however, have bought Universal for their subsequent runs.

Stage Shows for Omaha

Omaha, Aug. 21.—Stage shows are to be installed at the Brandeis during the fall. First unit booked is Texas Guinan's "Gang."

Ace Films Dissolved

Buffalo, Aug. 21.—Ace Films, Buffalo independent exchange, has been dissolved. Basil Brady is handling sales of Mundus product for United Artists out of the Buffalo office and Emmett Weakley has joined F. C. Pictures, another local indie exchange.

"Chic" Sale to Stage

Hollywood, Aug. 21. — Charles ("Chic") Sale leaves for New York this week to take a role in the Broadway stage production, "The Elephants' Shepherd."

Ready to Launch 18

Hollywood, Aug. 21. — George Batcheller, president of Chesterfield, and Maury Cohen, president of Invincible, are back after two months in New York. They will prepare for the new season's product of 18 features, four of which will be specials. The first to go into production will be "Port of Lost Dreams," with Frank Strayer directing.

Cagney Hits Charges

Hollywood, Aug. 21.—District Attorney Neil McAllister's charges that James Cagney, Ramon Novarro, Dolores Del Rio and Lupe Velez had contributed funds to the furtherance of Communist propaganda are held by Cagney to be a "cheap" attempt for personal notoriety. A general denial has been entered by all parties named.

"Black Moon" Banned

Detroit, Aug. 21.—"Black Moon" has been barred in Detroit. Police censors claim that it may, if shown, tend to stir up racial prejudice in the city. The Hollywood, ace West Side house, had it booked and advertised but it was never shown.

Miss Barnett to Wed

Hollywood, Aug. 21. — Marcella Barnett, executive assistant to David O. Selznick at M-G-M, will wed Dr. Marcus H. Rabwin Oct. 17. The duo will sail to Honolulu on the *Mariposa* for their honeymoon.

Bank Nights Hit Tampa

Tampa, Aug. 21.—Bank nights are getting a play here for the first time. The Tampa, leading house here, has bank nights each Friday and the Park offers them on Tuesday.

Buffalo Priest Aims Guns at Dual Bills

Buffalo, Aug. 21.—A campaign against double features is about to be opened by Dr. Edward S. Schwegler, Buffalo diocesan director of the Catholic Legion of Decency. Dr. Schwegler cites three reasons:

1. Double features usually mean at least one bad picture. People who want to patronize a theatre to see the good one hesitate to do so because they wish to avoid th eother one.
2. Double feature programs are too long. They tire audiences out.
3. They make a double demand on the industry, which must fill in the gap with cheap trash.

Century Operations Profitless in Year

No profit is expected to be shown in the annual fiscal report on operations of the Century Circuit, which has 23 houses on Long Island. The report is due around Sept. 20.

Included in the report will most likely be the announcement of the Century-Seider pooling deal, which is expected to be signed this week.

Blumstein Quits Col.

Abe Blumstein, who has been short subject sales manager of the Columbia Chicago exchange, has resigned and has moved his family to New York. He is not yet set on his next connection.

"Eagles" Sold for Canada

Excellent Exchange of Canada, through its New York agent, Guaranteed Pictures Co., has purchased "Young Eagles" for Canada. Arthur Beck represented the producers, Romance Prod., in the transaction.

"...and in ST. LOUIS!"
"Good for $19,000!" —VARIETY
Sure, it's Ronald Colman in "Bulldog Drummond Strikes Back"

'Frisco Tops Go to Harlow, George Arliss

San Francisco, Aug. 21.—Blonde Jean Harlow in "The Girl from Missouri" shared honors with George Arliss in "The House of Rothschild" here last week. The former did $23,000 against a normal of $20,000 at the Warfield. Arliss, in his second week at the United Artists, finished at $11,000, which was excellent in view of the $8,000 average for the first week of any picture in that house. A four-day American Legion convention helped.

Combination of "Paris Interlude" and "Notorious Sophie Lang" at the Paramount stirred no excitement and brought the house $1,500 under average. "Here Comes the Navy" did less than normal at the St. Francis.

Total first run business was $68,000. Total average, $68,000. Estimated takings:

Week Ending Aug. 14:

"HIS GREATEST GAMBLE" (Radio)
GOLDEN GATE—(2,800), 25c-35c-40c, 7 days. Stage, band. **Gross:** $13,000. (Average, $13,000)

Week Ending Aug. 15:

"SIN OF NORA MORAN" (Majestic)
"ALONG CAME SALLY" (Gaumont)
FOX—(4,600), 10c-15c-25c, 7 days. **Gross:** $4,500. (Average, $7,000)

"PARIS INTERLUDE" (M-G-M)
"NOTORIOUS SOPHIE LANG" (Para.)
PARAMOUNT—(2,670), 15c-35c-40c-65c, 7 days. **Gross:** $10,500. (Average, $12,000)

"HERE COMES THE NAVY" (Warners)
ST. FRANCIS—(1,400), 15c-25c-40c-65c, 7 days. **Gross:** $6,000. (Average, $8,000)

"GIRL FROM MISSOURI" (M-G-M)
WARFIELD — 25c-35c-55c-65c, 7 days. Stage, vaudeville, band. **Gross:** $23,000. (Average, $20,000)

Week Ending Aug. 17:

"HOUSE OF ROTHSCHILD" (U.A.)
UNITED ARTISTS—(1,200), 15c-35c-55c, 7 days, second week. **Gross:** $11,000. (Average, $8,000)

Portland Gives $7,500 To "Treasure Island"

Portland, Aug. 21.—In a week of considerably better business "Treasure Island" at the United Artists led with a take of $7,500, or $2,500 over normal.

"Of Human Bondage" at the Music Box also proved an above normal draw with heavier matinees and a take of $900 over average.

"Little Man, What Now?" at the Oriental had a universal appeal, going $1,500 over par.

Total first run business was $27,400. Average is $22,000.

Estimated takings for week ending Aug. 16:

"STRAIGHT IS THE WAY" (M-G-M)
"ROMANCE IN THE RAIN" (Univ.)
BROADWAY — (1,912), 25c-35c-40c, 7 days. **Gross:** $4,800. (Average, $5,000.)

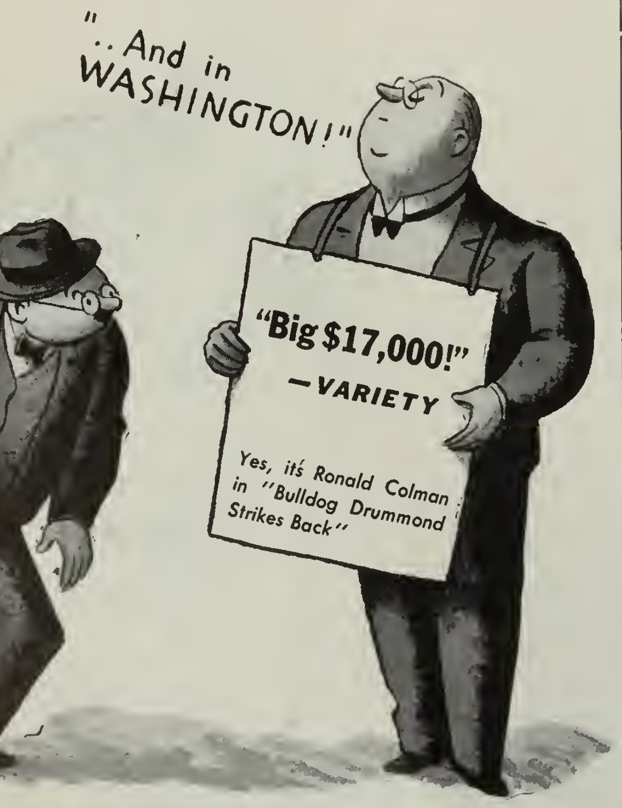
"OF HUMAN BONDAGE" (Radio)
HAMRICK'S MUSIC BOX—(2,000), 25c-35c-40c, 7 days. **Gross:** $3,900. (Average, $3,000)

"LITTLE MAN, WHAT NOW?" (Univ.)
HAMRICK'S ORIENTAL—(2,040), 25c, 7 days. **Gross:** $3,500. (Average, $2,000)

"ORDERS IS ORDERS" (Gaumont)
PANTAGES—(1,700), 15c-25c, 7 days. Stage show. **Gross:** $1,700. (Average, $2,000)

"SHE LEARNED ABOUT SAILORS" (Fox)
"NOTORIOUS SOPHIE LANG" (Para.)
PARAMOUNT — (3,008), 25c-35c-40c, 7 days. **Gross:** $5,000. (Average, $5,000)

"TREASURE ISLAND" (M-G-M)
UNITED ARTISTS—(945), 25c-35c-40c, 7 days. **Gross:** $7,500. (Average, $5,000)


"..And in WASHINGTON!"
"Big $17,000!"
—VARIETY
Yes, it's Ronald Colman in "Bulldog Drummond Strikes Back"

"4 Devils" Remake

Hollywood, Aug. 21.—Fox will remake "Four Devils," produced by that studio several years ago. Howard Young, William Wilder and Noel Pierce have been assigned to script a modernized version. This will be Eric Pommer's next.

Twin Cities Lead Goes to Crosby Film

Minneapolis, Aug. 21.—"She Loves Me Not," reflecting the popularity of Bing Crosby, rolled up a neat lead in the Twin Cities last week. At the State, Minneapolis, the picture did $7,000 when the average for the house is $5,500. In St. Paul, the Paramount grossed $6,500, or $1,000 over average.

All five Minneapolis first runs went over routine. The group, usually getting $18,500 in the aggregate, did $22,200, while St. Paul's four theatres, which generally get $14,000 in bulk, did $15,600.

Estimated takings:

Week Ending Aug. 16:

Minneapolis

"GIRL FROM MISSOURI" (M-G-M)
CENTURY—(1,000), 25c-40c, 7 days. **Gross:** $4,500. (Average, $4,000)

"CHARLIE CHAN'S COURAGE" (Fox)
LYRIC—(1,000), 20c-25c, 7 days. **Gross:** $1,700. (Average, $1,500)

Week Ending Aug. 17:

"HAT, COAT AND GLOVE" (Radio)
RKO ORPHEUM—(2,900), 25c-50c, 7 days. Tex Guinan's Gang. **Gross:** $6,000. (Average, $5,500)

"SHE LOVES ME NOT" (Para.)
STATE—(2,300), 25c-40c, 7 days. **Gross:** $7,000. (Average, $5,500)

"THUNDER OVER MEXICO" (Principal)
WORLD—(400), 25c-75c, 7 days. **Gross:** $3,000. (Average, $2,000)

St. Paul

Week Ending Aug. 16:

"SHE LOVES ME NOT" (Para.)
PARAMOUNT—(2,300), 25c-40c, 7 days. **Gross:** $6,500. (Average, $5,500)

"NOTORIOUS SOPHIE LANG" (Para.)
RIVIERA — (1,200), 25c-40c, 7 days. **Gross:** $3,500. (Average, $3,500)

"THE MAN WITH TWO FACES" (F.N.)
RKO ORPHEUM — (2,000), 20c-40c, 7 days. **Gross:** $4,000. (Average, $4,000)

"THE PERSONALITY KID" (Warners)
TOWER—(1,000), 15c-25c, 7 days. **Gross:** $1,600. (Average, $1,500)

Pageant on Grind

Six shows a day will be the policy of the Roxy starting Sept. 7, when "Romance of a People," Jewish pageant, opens for an indefinite run.

Gladys Swarthout of the Metropolitan will be heard over the Columbia network on the eve before the opening in a talk on the pageant. Mayor LaGuardia will officially open the show and other prominent speakers, including Alfred E. Smith, will appear on the Roxy stage from time to time.

E. M. Glucksmann Out

E. M. Glucksmann, one of the organizers of Mentone Prod. and its first president, is no longer with the company, according to Mentone which declared yesterday no successor had been named as yet.

Crosby Opus At $43,000 Chicago Top

Chicago, Aug. 21.—Vindicating the judgment of B. & K. officials, in holding over "She Loves Me Not" for a second week at the Chicago, the Crosby-Hopkins film turned in $43,000. It proved the cream of the local crop. The only other heavy business in the Loop was at the Oriental, where "The Great Flirtation," aided by George Jessel on the stage, grossed $23,000. Jessel remains for a second week.

"The World Moves On" failed to hold up at the United Artists. Gross was $14,000. House average, $17,000. The Palace, where business is usually consistently good, dipped $5,000 under average to $17,000 with "Hat, Coat and Glove." "Paris Interlude" delivered a poor showing at the Roosevelt with a $6,000 gross as compared with an $11,000 average. The State-Lake was relatively better with $14,000 on "The Hell Cat." Normal there is $15,000.

Total first run business was $117,000. Average aggregate is $114,600. Estimated takings for weeks indicated:

"SHE LOVES ME NOT" (Para.)
CHICAGO—(4,000), 35c-50c-68c, 7 days. Leo Carrillo, Jan Peerce, Vivian Faye, Larry Adler, The Bredwins on stage. **Gross:** $43,000. (Average, $34,600) Second week ended Aug. 16.

"THE GREAT FLIRTATION" (Para.)
ORIENTAL—(3,940), 25c-40c, 7 days. Gorge Jessel & Night Club Revue on stage. **Gross:** $23,000. (Average, $15,000) First week ended Aug. 16.

"THE WORLD MOVES ON" (Fox)
UNITED ARTISTS—(1,700), 30c-40c-60c, 7 days. **Gross:** $14,000. (Average, $17,000) First week ended Aug. 17.

"HAT, COAT AND GLOVE" (RKO)
PALACE—(2,509), 25c-35c-50c, 7 days. Carlos Molina & orchestra, Lee Morse, 3 Slate Bros. Steve Evans on stage. **Gross:** $17,000. (Average, $22,000) First week ended Aug. 16.

"PARIS INTERLUDE" (M-G-M)
ROOSEVELT—(1,591), 25c-35c-50c, 7 days. **Gross:** $6,000. (Average, $11,000) First week ended Aug. 16.

"HELL CAT" (Columbia)
STATE-LAKE — (2,776), 20c-25c-35c, 7 days. Mitzi Green in person on stage. **Gross:** $14,000. (Average, $15,000) First week ended Aug. 18.

"She Loves Me" Sole Oklahoma City Draw

Oklahoma City, Aug. 21.—Boxoffice honors last week went to "She Loves Me Not" at the Midwest, where the gross was $5,300, as compared with a $4,000 normal take.

"The Girl from Missouri" did a $5,000 par at the Criterion, but elsewhere it was quiet enough. Total first run business was $13,300.

Estimated takings for the week ending Aug. 18:

"THE OLD FASHIONED WAY" (Para.)
CAPITOL—(1,200), 10c-20c-26c-36c-40c, 7 days. **Gross:** $2,000. (Average, $2,500)

"GIRL FROM MISSOURI" (M-G-M)
CRITERION — (1,700), 10c-25c-36c-41c-55c, 7 days. **Gross:** $5,000. (Average, $5,000)

"SHE LOVES ME NOT" (Para.)
MIDWEST — (1,500), 10c-26c-36c-55c, 7 days. **Gross:** $5,300. (Average, $4,000)

"FRIENDS OF MR. SWEENEY" (Warner)
LIBERTY—(1,500), 10c-15c-26c-36c, Sunday through Wednesday. **Gross:** $2,200.

"BILLY THE KID" (M-G-M)
LIBERTY—(1,500), 10c-15c-26c-36c. Thursday through Sunday. **Gross:** $800.

$86,000 Take With "River" B'way's Best

Developing as a surprise to the Main Stem, not excepting Universal, first honors along Broadway last week went to "One More River" which nabbed an $86,000 gross at the Music Hall.

Other high spots included the Capitol, which continued to bounce back somewhat with "The Girl from Missouri," the take there running to $30,000 for the second stanza. The Roxy, having a pleasant time of it with "Handy Andy," did a neat $29,500 with the second week of the Rogers picture and anticipates $20,000 on the third. Final week of "The House of Rothschild" at the Rivoli proved easy to take at $18,656.

Estimated takings:

Week Ending Aug. 14:

"ADVENTURE GIRL" (Radio)
RIALTO—(2,300), 25c-65c, 7 days. **Gross:** $8,000.

Week Ending Aug. 15:

"ONE MORE RIVER" (Univ.)
RADIO CITY MUSIC HALL—(5,945), 35c-$1.65, 7 days. Stage show. **Gross:** $86,000.

"HOUSE OF ROTHSCHILD" (U. A.)
RIVOLI—(2,200), 40c-99c, 4th week, 6 days. **Gross:** $18,656.

Week Ending Aug. 16:

"GIRL FROM MISSOURI" (M-G-M)
CAPITOL—(4,700), 35c-$1.65, 2nd week, 7 days. Stage: Bob Hope, Pat Rooney, Sr. and Jr., and others. **Gross:** $30,000.

"THE LADY IS WILLING" (Col.)
PALACE—(2,500), 25c-75c, 7 days. Vaudeville. **Gross:** $11,000.

"HANDY ANDY" (Fox)
ROXY—(6,200), 25c-55c, 2nd week, 7 days. Stage show. **Gross:** $29,500.

"HOUSEWIFE" (Warners)—6 days.
"DAMES" (Warners)—1 day.
STRAND — (2,000), 25c-$1.10, 7 days. **Gross:** $17,321.

Week Ending Aug. 20:

"SIDE STREETS" (F. N.)
MAYFAIR — (2,300), 35c-65c, 7 days. **Gross:** $7,500.

"Andy" Proves A Monied Joy To Cleveland

CLEVELAND, Aug. 21.—A young fellow by the name of Will Rogers seems to have the town by the ears. "Handy Andy," in its second week at the Hippodrome, persuaded Clevelanders to part with $12,000 of their money. The significance of the gross is indicated by the house average, which is $5,000.

Cleveland's four current first runs aggregated $39,800. Their average is $29,000. Weather was cool.

Estimated takings for the week ending Aug. 17:

"HANDY ANDY" (Fox) 2nd week
WARNER'S HIPPODROME — (3,800), 30c-35c-44c, 7 days. **Gross:** $12,000. (Average, $5,000)

"JANE EYRE" (Monogram)
RKO PALACE—(3,100), 30c-35c-44c, 7 days. **Gross:** $11,000. (Average, $10,000)

"SHE LOVES ME NOT" (Para.)
LOEW'S STATE—(3,400), 30c-35c-44c, 7 days. **Gross:** $13,000. (Average, $10,000)

"PARIS INTERLUDE" (M-G-M)
LOEW'S STILLMAN—(1,900), 20c-30c, 30c-40c, 7 days. **Gross:** $3,800. (Average, $4,000)

More Taxes Loom

Albany, Aug. 21.—The Legislature, before adjourning, passed and sent to the Governor the Ross bill authorizing the board of aldermen of the City of New York to levy new taxes during 1935 to raise funds for the relief of New York City's thousands of unemployed.

Washington's B. O. Better; "River" Best

WASHINGTON, Aug. 21.—Summer grosses climbed slightly last week as summer temperatures slumped to a more reasonable point. RKO-Keith's, which for three months or so has been operating on Wednesday openings, reverted to Friday when "One More River" took two extra days and brought $14,100 to the box-office for the nine days. The first seven days grossed $11,100, a figure which, while under the winter average, is considerably over the house's average summer take.

Loew's Fox with "The Old Fashioned Way" and a stage show that pulled rave reviews held to the summer average for $18,500. "Handy Andy" took $4,900 on its second week at Loew's Palace, the first Will Rogers picture to go two weeks at the Loew ace all-picture temple. Loew's Columbia bettered the average by $300 with a return engagement of "Baby Take a Bow."

"Housewife" and a stage show yielded $16,200 at the Earle and the Metropolitan, with "The Personality Kid," did a fair business at $3,500.

The week's total, including the full 9-day run at RKO-Keith's, was $60,600. Average is $71,200.

Estimated grosses, exclusive of tax, for the week ending Aug. 16:

"HOUSEWIFE" (Warners)
EARLE—(2,218), 25c-77c, 7 days. Stage: Pickens Sisters, Enrica & Novello, Billy (Voice of "Popeye") Costello, Park & Clifford, Al Norman. **Gross:** $16,200. (Average, $17,600)

"BABY, TAKE A BOW" (Fox)
LOEW'S COLUMBIA—(1,265), 25c-40c, 7 days (return engagement). **Gross:** $3,400. (Average, $3,100)

"THE OLD FASHIONED WAY" (Para.)
LOEW'S FOX—(3,434), 25c-66c, 7 days. Stage: Yasha Bunchuk, Six Yellow Jackets, Al Trahan & Countess Yukona Cameron, Ina Ray Hutton & Her Melodears. **Gross:** $18,500. (Average, $20,500.)

"HANDY ANDY" (Fox)
LOEW'S PALACE—(2,390), 35c-77c, 7 days (second week). **Gross:** $4,900. (Average, $14,500)

"THE PERSONALITY KID" (Warners)
METROPOLITAN — (1,591), 25c-40c, 7 days. **Gross:** $3,500. (Average, $4,100)

"ONE MORE RIVER" (Universal)
RKO-KEITH'S—(1,830), 25c-55c, 9 days. **Gross:** $14,100. (First 7 days: $11,100.) (Average, $11,400)

Buys "Escape Me Never"

LONDON, Aug. 21.—"Escape Me Never," London stage piece by Margaret Kennedy, will be made into a film by British and Dominions for United Artists release. Elizabeth Bergner will be starred in the role which she played on the stage. Paul Czinner, her husband, will direct. Production is scheduled to get under way in a few weeks.

Weather Helps Out; Montreal Still Hit

MONTREAL, Aug. 21. — A cooler stretch gave Montreal a little more of the needful during the week ending Aug. 18 with "Wonder Bar" standing out at the Palace with a take of $8,500, but $2,500 under par even at that. The Capitol also braced to $7,500 on "Stamboul Quest" and "Let's Talk It Over" while a $5,500 gross went through the Princess wicket for "Whom the Gods Destroy." "The Man with Two Faces" and "Friends of Mr. Sweeney" brought the same total to Loew's.

Total business was $30,500. Average is $43,000 with every first run in town under par.

Estimated takings for the week ending Aug. 18:

"STAMBOUL QUEST" (M-G-M)
"LET'S TALK IT OVER" (Univ.)
CAPITOL—(2,547), 25c-35c-40c-50c-60c, 7 days. **Gross:** $7,500. (Average, $9,000)

"WONDER BAR" (1st Nat'l)
"WE'RE RICH AGAIN" (RKO)
PALACE—(2,600), 25c-35c-50c-60c-75c, 7 days. **Gross:** $8,500. (Average, $11,000)

"MAN THEY COULDN'T ARREST" (British)
IMPERIAL—(1,914), 25c-40c-50c, 7 days. On the stage: Roy, Rita & Roule O'Neill & Manners; Tiffany Sisters & Joe; Art. Leveseur; Conway & Parks; Lee Shelley. **Gross:** $3.500. (Average, $6,500)

"THE MAN WITH TWO FACES" (1st Nat'l)
"FRIENDS OF MR. SWEENEY" (Warners)
LOEW'S—(3,115), 25c-35c-50c-65c, 7 days. **Gross:** $5,500. (Average, $10,500)

"WHOM THE GODS DESTROY" (Col.)
"COLLEGE COACH" (Warners)
PRINCESS — (2,272), 25c-35c-50c-65c, 7 days. **Gross:** $5,500. (Average, $6,000)

Band Leaders, Not Pictures, Detroit Draw

DETROIT, Aug. 21.—Two big time band leaders did well by their employing theatres last week and sent them over parity. No other first runs in the city reached that distinction.

While Fred Waring and His Pennsylvanians sent the Michigan gross to $27,000 and thereby gave it $7,000 over average, the Trendle management suffered a keen disappointment. It figured a $40,000 week, including a special midnight show. The picture was "Notorious Sophie Lang."

Ted Fiorito and his orchestra, playing the Fox where the picture was "Charlie Chan's Courage," drew $17,500, or $2,500 over the average mark.

Gross first run take was $58,200, against an average of $55,000. Business a week earlier ran to $59,500.

Estimated takings for the week ending Aug. 16:

"LADIES SHOULD LISTEN" (Para.)
FISHER—(2,975), 15c-50c, 7 days. **Gross:** $5,900. (Average, $10,000)

"CHARLIE CHAN'S COURAGE" (Fox)
FOX—(5,100), 15c-50c, 7 days. Stage: Ted Fiorito and his orchestra heading 5 act vaudeville show and Rosemary Deering. **Gross:** $17,500. (Average, $15,000)

"NOTORIOUS SOPHIE LANG" (Para.)
MICHIGAN — (4,100), 15c-50c, 7 days. Stage: Fred Waring and His Pennsylvanians in person heading stage revue. **Gross:** $27,000. (Average, $20,000)

"MIDNIGHT ALIBI" (First National)
UNITED ARTISTS—(2,070), 25c-50c, 7 days. **Gross:** $7,800. (Average, $10,000)

"All that in KANSAS CITY ?"
"Opened Strong! $14,000!" —VARIETY
Right, it's Ronald Colman in "Bulldog Drummond Strikes Back"

Majors Strike Hard at N. E. Zoning Plans

Major circuits and distributors yesterday attacked the Hartford, New Haven and Bridgeport clearance and zoning schedules at a general protest hearing at Campi headquarters.

In favor of the plan were a majority of the New England exhibitors who came down to have their say. Most of the independent operators agreed to the schedule with minor changes.

I. Levinson, representing Warners as a distributor and theatre owner, led off the attack contending that clearance and protection are a matter of negotiation between distributor and exhibitor. He said the only right of the New Haven board in setting up the schedule was to determine maximum clearance after a deal had been struck between the buyer and seller.

He also pointed out that exhibitors buying for low rentals at low admission could later change price scales and move up into classifications of second and first runs.

Irving Greenfield of Loew's, which operates the Poli Bijou in New Haven, said the plan was unjust, unfair, discriminatory and contrary to the code. He stated prices do not enter into the plan, as this is a matter of barter and trade between exhibitor and distributor.

Benjamin Calechman, operating the Rivoli, Apollo and Cameo in West Haven, said the schedule was a fair means of determining protection and beneficial to all theatres. He said 30-cent houses have not been able to get pictures because of influence of other parties. He added the plan approved by the New Haven board would eliminate this.

Opinions Go Pro and Con

Another exhibitor, who operates the Howard in New Haven, said he favored the plan with one exception. He claimed that balcony and orchestra seats should be averaged because many patrons buy seats for the balcony and instead of going there enter the orchestra. Morris Baley of the Waley, New Haven, also approved the plan and agreed with the Howard that an average should be struck for balcony and orchestra.

Dr. Jacob B. Fishman upheld the plan as constructive and not theoretical, since, he claimed, it was the only way to introduce a system whereby 10-cent runs do not get pictures ahead of 30-cent houses. Mike Tomasino of the White Way, New Haven, favored the plan generally except for a clause whereby 10-cent admissions should be set back 120 days. He stated he charged this admission for only one day a week and should not be penalized by having all his dates set back.

During the hearing, George J. Schaefer, chairman of the appeal board, and E. C. Grainger, another member of the body, questioned the method of selling according to admissions rather than what distributors can get for their product when sold with protection rights.

It was brought out during the hearing that the Miami schedule was ordered to eliminate admissions as governing clearance. Levinson brought this out and held that the schedules presented could not be guided according to price scales.

Attending the hearing were Morris and Sam Bailey, Jack Byrne, W. F. Rodgers, William Scully, Martin Kelleher, Edward Levy, Arthur Horn, Max Tobackman, Abraham and Joseph L. Schulman, M. W. Shuman, Morris Jacobson, Charles Levin, A. M. Pickus, Athan Prakas, Joe Davis, Louis Anger, Nat Furst, George Cruzen, Edward Rugoff, Abe Fishman, Al Bevan, Benjamin Trustman, Harry P. Lander, Albert Kane, Joseph Vogel and David Loew.

Cullman a Chiseler—Brandt; Code Board Reserves Ruling

(*Continued from page 1*)

Brandt delving into personalities, declaring the case was not concerned with personalities but to decide whether the Globe had violated the code.

Brandt stated that, according to conversations he had with Division Administrator Sol A. Rosenblatt theatres, whose policies are not in conflict with each other, had no right to complain. He said that the Globe plays reissues on a subsequent run policy and was not in competition with the Roxy and, therefore, the Roxy had no right to protest distribution of 15-cent rebate passes issued by the Globe. Brandt asked the board to get in touch with the division administrator for further clarification of the cut rate ticket provision of the code before making a decision.

The Roxy complaint against the Mayfair was postponed until Aug. 30. Decision was reserved in Loew's Melba charge against the Paras-Court, Brooklyn, on premature advertising. The case will be heard again on Aug. 30, when additional testimony will be taken. Paramount's charge against the Fortway, Brooklyn, for illegal transfer of operation was put off four weeks until Louis Nizer returns from Europe.

NRA Asked to End Ban on Premiums

(*Continued from page 1*)

to modify, amend or repeal it must originate within the industry and come through the Code Authority, Division Administrator Sol A. Rosenblatt announced. Indications were that such proposals would receive sympathetic consideration, depending upon the amount of support from exhibitor ranks.

"If the industry wants that section removed, we would be glad to take it out," Rosenblatt said. "It was proposed by the industry and the NRA would be perfectly willing to follow their wishes."

Any formal proposal for dropping the clause probably would require a public hearing, although Rosenblatt noted that he has complete discretionary powers to approve without public discussion an amendment which does not involve changes in "substance" of the agreement.

NRA's Amusements Setup May Change

(*Continued from page 1*)

tled, an impending shakeup is believed likely to result in Division Administrator Sol A. Rosenblatt being detached from active supervision of the film code and made head of a new and larger section which will include amusements as well as several other related lines. Creation of a separate amusements division has been suggested as part of the new setup, and if recommendations are followed Farnsworth probably will assume direct control but will remain under Rosenblatt's direction. Replacement of Rosenblatt on Campi is said to be possible.

The probable regrouping will land the radio code in the communications division along with public utility codes, it is believed, as many NRA executives do not regard this business as entertainment.

Speculation over the length of Hugh S. Johnson's stay with the Blue Eagle has involved Rosenblatt, but the former said today that, while he hopes soon to return to private business, his departure is not likely to take place immediately. When Johnson goes—and it is generally expected he will leave by the end of the year, staying only long enough to watch the new system in operation—Rosenblatt undoubtedly will follow, it is believed.

"I Haven't Done Any Wrong," Says Cullman

Answering Brandt's charges he was a chiseler, Cullman yesterday told Motion Picture Daily: "What right has he to say I'm a chiseler? I haven't done anything wrong.

"I don't care if the Globe charges 10-cent admissions," Cullman stated, "as long as he advertises them as such."

Meanwhile, Cullman has written Division Administrator Sol A. Rosenblatt to advise Code Authority whether or not he has made Brandt "an exception to the code."

Finish 'Legit' Code Session; Go to NRA

(*Continued from page 1*)

hearings on the code provisions and Rosenblatt is expected to be guided by these in making changes in certain clauses of the revised code, which is slated to go to President Roosevelt for signing in the near future.

Vigorous objections were voiced by ticket brokers at the final hearing yesterday to the code's provisions limiting regulation of ticket sales to cities of "over 5,000,000 population." It was pointed out that New York is the only city which would be within the provisions of the code in this respect, whereas the unanimous sentiment at the hearing was that the code's regulations should apply wherever ticket selling abuses may exist.

Extra Compilation Halts

Hollywood, Aug. 21.—Mailing of 12,000 questionnaires by the Extras' Standing Committee to determine extras to be selected for final registration continues in postponement pending authorization of the necessary funds by Campi.

Samuelson on Salary Basis, Allied's Idea

(*Continued from page 1*)

president, also head of the national organization, recently claimed his local activities are not giving him enough time to devote to national affairs.

The annual election takes place Thursday night and will be followed by a banquet when new officers will be officially inagurated. While there is no opposition slate in sight, it is understood the only change to take place is the declination of Julius Charnow to run again as first vice-president.

Exhibitors from the east started converging on the Ritz Carlton, headquarters for the convention, tonight and several hundred are expected to be on hand by tomorrow morning.

Abram F. Myers is expected to make the opening speech with other Allied leaders on tap to follow.

Although not officially aligned with Allied, the I. T. O. A. will send a delegation to the New Jersey convention. Both organizations have been working closely on mutual industry matters and several members of Allied are also associated with the I. T. O. A.

Mayor Orders Unions End Mass Picketing

(*Continued from page 1*)

misrepresentations by labor groups opposed to unions affiliated with the A. F. of L. on the ground that this constituted "unfair competition." Local 306 is a member of the A. F. of L.

Mayor LaGuardia declared Allied, which is described by its foes as "a company union," had no justification for its mass picketing of the Loew theatres because there was no strike involved. Pointing out that Loew's has had a contract with Local 306, he asserted that members of the union employed by the circuit "are satisfied." He showed a letter from the local attesting to this.

"Unfair signs" would not be tolerated, stated the Mayor. He added that "the Allied union can go on picketing as long as they don't block entrances or display untruthful signs," but mass picketing was definitely out, he declared.

Other unions reported involved are Empire, United Projectionists and M. P. Engineers.

Charles C. Moskowitz of Loew's and Harry Brandt, president of the I. T. O. A., were instrumental in bringing about the order and appeared at the hearing on behalf of their interests.

Closes Bermuda Deal

Before sailing for Europe recently, Phil Reisman, vice-president of RKO Export Corp., closed a distribution deal for the entire 1934-35 Radio product with Reid Hall, Ltd., Bermuda.

Await Frisco Decision

San Francisco, Aug. 21.—A decision on shortening clearances is expected from the zoning board here Wednesday.

◂ Purely Personal ▸

BINNIE BARNES, British actress under contract to Universal, flies to New York from Hollywood by plane Saturday on her way back to England to complete her contract with **Alexander Korda** of London Films. She is expected to return to the coast Dec. 1.

J. D. Williams, now associated with the newly formed Motion Picture Foundation, is resting and recuperating from a recent illness in the Scholley Mountains, New Jersey. His first vacation in two years.

Frank Snell, vice-president and general manager of the Van Beuren Corp., is at peace with the world. While making the rounds at the Longshore Golf Club, Westport, he made a hole in one.

Wynne Gibson and **Dorothy Burgess** are cast additions to "Gambling," **George M. Cohan**'s first for the Brookin Corp., headed by **Harold B. Franklin**.

Elizabeth Lonergan, New York representative for a number of British papers and magazines, sails for New York from Southampton on the *Majestic* Aug. 29.

Joe Morrison, Paramount's singing juvenile, is now filling theatre engagements in the east and returns to the coast around the first of the month.

Cesar Romero, Cuban actor, has reached Hollywood to play the lead in Universal's "Cheating Cheaters," which goes into production Monday.

James A. FitzPatrick plans to leave for the M-G-M studios the end of September to produce a short based on the life of Franz Schubert.

Bob Gillham caught a 300-pound broadbill off Montauk over the weekend. Says it's the largest nabbed in those waters this season.

Billy Hill, "The Last Roundup" composer, has been signed by Vitaphone to star in a one-reel musical at the Brooklyn plant.

Barbara Stanwyck plans to spend a brief vacation in New York before starting work in "Concealment" at First National.

T. E. Mortensen, regional trade publisher from Minneapolis, is making headquarters at the Park Central. He likes it there.

Michel Fokine and his famous ballet will be seen on the stage of a film theatre for the first time Friday at the Capitol.

Charlie Stern put out over the fact his office didn't get his copy of a certain trade paper.

Samuel Cummins is extending his stay in Europe by embracing Vienna and Prague.

Bill Sussman, assistant to **John D. Clark** at Fox, is back from a three-day stay in Boston.

Lila Lee will appear in the cast of "Lady Jane," first stage play by Frankwyn Prod.

Lewis Maisell has resigned as vice-president of Latin Artists Pictures and has opened his own offices.

Theodore Shaw has been named assistant to **Jack Bloom** who is aide to **Nat B. Finkler**, contract manager at Fox. **Shaw** succeeds **Tom Quinn**, resigned.

Ed Kuykendall is due in town today from his Columbus, Miss., home for a Campi session.

Harry Gold and **Paul Lazarus** lunched together the other noon.

Leopold Friedman of Loew's legal staff is vacationing this week.

John Otterson arrives from Europe tomorrow on the *Washington*.

Charles Trampe, of Midwest Film, arrived in New York from Milwaukee.

Stanley Shuford is off on a two weeks' vacation.

Agents Here Join to Aid Jewish Benefit

Leading agents here joined yesterday to aid the "Night of Stars" benefit for the relief of German Jews to be staged at the Yankee Stadium Sept. 20. The action was taken at a conference at the office of Louis K. Sidney, who is chairman of the program committee. The benefit will represent the contribution of the amusement industries to the United Jewish Appeal for German Jewish Relief.

Representatives of many opera, concert, radio, stage and screen artists assured Sidney their clients would take part personally in the presentation.

Among those who attended the conference were John Hyde of William Morris Agency, Harold Kemp of the NBC artists' bureau, Paul Ross of the CBS artists' bureau, Marvin Schenck and Sidney Piermont of the Loew booking office, Charles Allan of the Curtis Allan Agency, Ned Dobson, Nick Kenny, Arthur and Sam Lyons, A. Werblen of the Music Corp. of America, Irving Mills, Tom Rockwell, Ferdie Simon, Charles Yates, Leon Leonidoff of the Radio City Music Hall, Boris Morros of the Paramount.

New Metrotone Units 'Round World Set Up

E. B. Hatrick, general manager of Hearst's film interests, has completed the new international setup for Hearst Metrotone News. The news-gathering force will get into action on Sept. 1, and the first issue will be released Oct. 3.

Umberto Domagnoli has been placed in charge of the Rome bureau, Henri Cabriare heads the office covering France, Spain and Belgium, Carl Schubert will handle Berlin, and Ariel Varges will be in charge of the Far East.

Gaumont British will cover England for Hearst Metrotone. Leslie Wyand is special representative for Hearst in London. All International News Service headquarters will be made available to Metrotone men.

About 40 men will cover news breaks in the U. S.

Brecher In New Post

Leo Brecher yesterday was named by the I. T. O. A. board of directors to succeed Louis Blumenthal as chairman of the board. Union matters also were discussed at the session.

A general membership hearing is slated to be held at the Astor today when the Brecher announcement will be made. Brecher up to this date has been a member of the board.

"Just listen to these LINES ROAR!"

★★★½★
Grand entertainment!
— DAILY NEWS

"The maddest, merriest melodrama of the year!" — SUN

"Not only gorgeous entertainment but Colman at his best!"
— EVENING JOURNAL

"Excellent! Roars of laughter!"
— NEW YORK TIMES

"As merry a melange of mysteries as ever graced the screen!"
— NEW YORK AMERICAN

"Brilliant! The cast is perfect from top to bottom!"
— WORLD-TELEGRAM

"You can thank Ronald Colman, along with Darryl F. Zanuck, the producer, and Nunnally Johnson, the screen story teller, for an enormously engaging and continuously hilarious amalgamation of melodrama and farce!"
— HERALD-TRIBUNE

JOSEPH M. SCHENCK presents
Ronald
COLMAN
in
DARRYL F. ZANUCK'S
Triumph
"BULLDOG DRUMMOND STRIKES BACK"
Directed by Roy Del Ruth

It's a 20th CENTURY PICTURE
Released thru UNITED ARTISTS

Pathe Clears Finance Path To Expansion

(*Continued from page 1*)

$4,000,000, in addition to materially reducing Pathe's funded indebtedness.

Prospects of improved earnings, both as a result of the contemplated expansion and of new laboratory contracts entered into recently by Pathe which will increase the volume of the laboratory business during the second half of the year, are cited by Webb in his letter to stockholders. The letter also states that, since June 30, earnings of both Pathe and of Du Pont Film Mfg. Corp., 49 per cent of the stock of which is owned by Pathe, have been at a higher average than for the first six months of the year.

Pathe's earnings for the six months ended June 30 were $116,433, before interest charges but after deducting all expenses, taxes, amortization and depreciation of properties, as compared with $40,154 for the corresponding six months last year. Net profit after interest amounted to $42,642, compared with a loss of $54,274 last year, the report reveals.

The new $4,000,000 working capital provided for in the plan of reorganization may be realized by the issuance of collateral secured notes which the new company will be authorized to issue under the plan.

Under the financial reorganization plan, holders will receive one share of $7 convertible preferred stock and five shares of common of the new company for each share of the old eight per cent preferred; two shares of new common stock for each share of Class A preference stock of the old, and one-twentieth of a share of new common for each share of the old.

Zanuck to Make 10 At $6,500,000 Cost

HOLLYWOOD, Aug. 21.—An appropriation of $6,500,000 for the production of 10 features on the scale of "The House of Rothschild" for the new season was announced by Darryl Zanuck of 20th Century upon his return to the coast today. This sum is double the outlay on the old season's program. Production gets going in three weeks, he said.

Zanuck asserted the church drive on unclean films need not alarm Hollywood to the point of excluding sex from pictures. "It is all a matter of the proper handling of situations," he remarked.

Breen on Air Aug. 29

HOLLYWOOD, Aug. 21.—Joseph I. Breen delivers the first of a series of radio talks on the industry over the NBC network on Aug. 29 at 5 P.M. (Pacific Time). The broadcasts, arranged at the insistence of Darryl Zanuck, will be spread over a period of two weeks.

"Belle" Passes Boards

"Belle of the Nineties" has been given a clean bill of health by the Chicago and Kansas censor boards, according to Paramount.

The New York board approved the picture several days ago.

Expect $70,000

Paramount officials are excited and enthused over the course of "Cleopatra" at the Paramount. They predict between $60,000 and $70,000 on the first week and stress the heavier figure.

The picture will stay two more weeks and will be followed by "She Loves Me Not." Then, in order, "The Scarlet Empress," "Now and Forever," "Belle of the Nineties" and "Mrs. Wiggs of the Cabbage Patch." These bookings will carry the theatre up to December or thereabouts, the anticipation is.

Johnston Aims New Attack at L.A. Board

HOLLYWOOD, Aug. 21.—Before leaving for New York today, W. Ray Johnston, Monogram head, aimed a new blast at the local clearance board's stand on duals as contained in the revised zoning schedule for this territory, which regulates the showing of double features by classification.

"The board," said Johnston, "is trying to find a new way out following the defeat of the previous ruling on duals. It is evident that the new ruling will block the selling season for distributors. The sooner the board gets down to proper zoning under the code the sooner the industry will right itself, saving a great deal in code costs.

"If they feel they can deliberately override Campi's ruling by banning duals through another procedure, I'm afraid they will be riding the zoning schedule until doomsday. It is my opinion it just can't be done. The sooner the board takes cognizance of that fact the sooner exhibitors in this territory will get the relief for which the boards were set up."

Johnston added he would take the independents' case to Campi in New York to straighten out the existing situation if necessary.

Loew Officially for Dual End in Jersey

(*Continued from page 1*)

meeting was held yesterday between Harry Kridel, chairman of the Allied committee on duals, and C. C. Moskowitz of Loew's, when support of the Loew circuit was given if, and when the rest of the New Jersey houses eliminate twins.

Warners and Skouras already have signed an agreement to ban doubles and Moskowitz, acting for Loew's, said he would sign the agreement at a later date. RKO is understood also willing to go along.

Considering Mason To Head Dual Fight

(*Continued from page 1*)

bills, particularly code clearance and zoning schedules where penalties in one form or another may be inserted.

Mason already has been approached on a proposition, but several details remain to be ironed out before he decides to take the job. He was a member of the National Recovery Review Board, which was recently dissolved by the President. He is now special counsel for the I. T. O. A.

Chicago in a Price Confab; Favors Tilts

(*Continued from page 1*)

by the various companies which would command increased admissions at Loop showings and in subsequent runs. This is seen as one means of getting at least some pictures into the better price class.

Significant in this connection is the action of B. & K. in boosting the price for "Treasure Island" at the Roosevelt from 55 to 65 cents top.

Texas Allied Urges ASCAP Pact Delays

DALLAS, Aug. 21.—Members of Allied of Texas are being advised by Col. H. A. Cole, president, not to sign any new contracts with the American Society of Composers, Authors and Publishers "until you have to, and to keep us in touch with any proposition made to you."

"The society justifies this increase," says Cole, "with the statement that it has received during the last few years only $650,000 per year, and they want two millions! One-tenth of the latter sum would finance all the exhibitor organizations in the country, and would have stopped this thing before it ever got to its present place. Our national organization is working on it now, in cooperation with other exhibitor interests."

PORTLAND, Aug. 21.—Music charges were a hot topic of discussion at the meeting of Allied of Oregon, but no formal action was taken.

Move to Fight ASCAP With Baker Looming

(*Continued from page 1*)

be concluded today or tomorrow, Walter Vincent, chairman of the emergency committee, said yesterday.

Baker's firm, Baker, Hostettler, Sido & Thompson of Cleveland, is expected to prepare test cases for trial which will contest the ASCAP's right to collect music taxes from exhibitors. The legal battle is the major phase of the emergency committee's campaign of opposition to the proposed schedule of music tax increases announced by ASCAP for Oct. 1.

Fairbanks in Hollywood

HOLLYWOOD, Aug. 21.—Douglas Fairbanks today arrived on the coast, where he plans to remain as a producer, making talking versions of silent pictures. He himself will not appear in them. The first will be "Marco Polo," which will have China as its locale.

K. of C. O.K.'s Drive

DETROIT, Aug. 21.—Approval of the campaign against objectionable films was voiced at the opening of the Knights of Columbus convention here today.

Booth Fire in Portland

PORTLAND, Aug. 21.—Four reels of "Harold Teen" were destroyed in a booth fire today at the Alberta Theatre here.

Independents Swing Toward MPPDA Seals

(*Continued from page 1*)

withheld by both independent producers and Joseph I. Breen of the Hays office.

Viewed as a problem here is whether or not the facilities of Breen's office are adequate for handling the rush of independent pictures which would be submitted in the event an agreement is reached.

Attending last night's meeting were W. Ray Johnston, Trem Carr, M. H. Hoffman, I. E. Chadwick, Kenneth Goldsmith, Larry Darmour and J. Boyce Smith. All except Johnston, who left today on a tour of Monogram Pacific Northwest exchanges before returning to New York, are expected to attend Wednesday morning's session.

Thomas Gets No Word

Harry Thomas, First Division head and president of the Federation of the M. P. Industry, ndependent producers' and distributors' association here, stated yesterday that he had had no word of an independent producers' agreement in Hollywood on submitting pictures to the Hays production advisory office for seals of approval. Thomas said that he was awaiting the return of W. Ray Johnston for a report of developments and that no meeting of the Federation to take action in the matter would be called prior to Johnston's return.

Hays office representatives said that Division Administrator Sol A. Rosenblatt had not been in communication with them on the petition of an unnamed independent producer that the NRA intervene through Code Authority in administering moral regulations in production and issuing production code seals. They intimated that strong independent feeling was understood to favor use of the Hays advisory facilities and pointed out that, if this course was voted by the independents, Rosenblatt would be relieved of the necessity of intervening.

K. of C. Opens Frisco Drive on Indecency

SAN FRANCISCO, Aug. 21.—First concerted action here against "indecent" pictures was taken today when the Knights of Columbus appointed a morals committee to cooperate with the Legion of Decency and pledged to join the fight for a clean screen.

The committee will urge non-attendance at theatres showing objectionable product. It is made up of Raymond J. Rath, state president of the chapter; Dr. J. Joseph Hayes, its past president; Richard Roche, Robert Schaefer, Christopher McKeon and William T. Sweigert.

Harry Lorraine Dead

Harry Lorraine, 44, booker for 14 years with Fally Marcus and during the last three years in business for himself, was found dead at his home in Astoria yesterday. Funeral services will be held tomorrow at the Riverside Memorial Chapel and interment at Bayside cemetery.

The Leading
Daily
Newspaper
of the
Motion
Picture
Industry

MOTION PICTURE DAILY

Alert,
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and
Faithful
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the Industry
in All
Branches

VOL. 36. NO. 45 NEW YORK, THURSDAY, AUGUST 23, 1934 TEN CENTS

Labor Union Check Under Law Foreseen

Employes Reported in Such a Move

The United Press, in a copyrighted tory from Washington, says:

"Organized employers are planning drive at the next session of Congress o place legal restrictions on the activities of labor unions.

"There is on the other hand agitaion from the rank and file of labor or direct action to bring a clearer cut lefinition of the collective bargaining ower recognized in the National Inlustrial Recovery Act, and for definite teps by the Government to make this uaranty effective and binding.

"The American Federation of Labor s under fire from both directions. It s being attacked by employers as too rasping and criticized by some of its

(Continued on page 5)

Denver Police Stop Lotteries, Giveaways

DENVER, Aug. 22.—Theatres, runing lotteries and other giveaways, ave been ordered to stop the practice y the police. All theatres are disontinuing them as per the request. he letter addressed to Harry Huffnan is similar to a letter sent to all. t is:

"Our attention has been called to he fact that you are conducting an utomobile lottery in your group of heatres. This is in violation of the aws of the state of Colorado and the rdinances of the city and county of

(Continued on page 5)

O. K. on Throwaways Denied by Rosenblatt

WASHINGTON, Aug. 22.—Division dministrator Sol A. Rosenblatt tolay denied claims of Harry Brandt, perator of the Globe Theatre, New York, and head of the I. T. O. A. there, that he had authorized the use of throwaway tickets banned by the ode. Replying to Brandt's defense

(Continued on page 5)

25% Off Code

New Orleans, Aug. 22.—Approximately 25 per cent of the houses in this territory have failed to sign the code, according to the local code authority.

A "Working" Board

The new board of directors to be elected for reorganized Paramount Publix will be smaller in number than any board which has guided Paramount in the past, according to those close to the company's proceedings.

Although smaller, it will be a "working" board, it is said. Trimmed of honorary members, every director will hold his place on the new board solely for the work he can do for Paramount, the reorganizers say.

Reorganizing Is Asked for Fox Theatres

A petition that Fox Theatres be taken out of receivership and be allowed to reorganize under Section 77-B of the new bankruptcy laws was filed yesterday in U. S. District Court here.

The plea was made by three creditors of the company, Louis L. Seidman, presenting claims for $35,000; the Theatre Builders Corp., Inc., claiming $400,000 for alleged breach of contract, and Merriam Rogers, who listed claims amounting to $430,941. The

(Continued on page 5)

Deal in Frisco Gives FWC 1st Run Control

SAN FRANCISCO, Aug. 22.—Completion of a deal by which Fox West Coast takes over the Fox here from William Fox on Aug. 31, was reported today by Joe Leo on his return here from Los Angeles where, he said, he concluded the negotiations with Charles Skouras.

Acquisition of the Fox gives FWC undisputed control of the first run

(Continued on page 5)

MAY REORGANIZE PARA. BY OCT. 1

Bondholders, Creditors, Banks Jointly Are Making Progress

A reorganized Paramount Publix by Oct. 1 looms as a possibility as a result of progress made on a reorganization plan for the company by important Paramount creditor groups during the past few weeks, it was learned yesterday.

Factions active in the work of rehabilitation have hopes of completing a plan within three weeks, it is understood. Basic details are understood to have the approval now of the three creditor committees whose voice is regarded as essential in whatever plan is eventually adopted.

These groups are the debenture holders' protective committee of which Frank A. Vanderlip is chairman; the bank group committee represented by Percy Johnston, president of Chemical Bank & Trust Co., and the stockholders' protective committee, represented by Maurice Newton of Hallgarten & Co.

In advancing the reorganization plan the full membership of these three vital creditor groups participated up

(Continued on page 4)

MPPDA Seal Accepted By Independents

HOLLYWOOD, Aug. 22.—Independent producers at a meeting today voted for submittal of their product to the Production Code Administration for its approval. I. E. Chadwick was elected as their representative to sit in with the Hays organization to facilitate the awarding of seals to independent films.

Trem Carr, president of the Independent Producers' Ass'n., issued the following statement after the meeting:

"To carry out a like purpose as expressed in Part 2, Article 7, of the

(Continued on page 8)

Vote $5,000 Yearly As Samuelson Wage

By WILLIAM ORNSTEIN

ATLANTIC CITY, Aug. 22.—Sidney Samuelson today smilingly confirmed MOTION PICTURE DAILY'S exclusive story that Allied of New Jersey, of which he is president, will place him on a salary basis at $5,000 per annum.

The nominating committee meets

(Continued on page 8)

Berinstein Flies to Protest Zone Delay

LOS ANGELES, Aug. 22.—Ben Berinstein left by fast plane for New York this afternoon to protest against Campi's 30 day postponement of consideration of the local clearance

(Continued on page 5)

Famous Canadian Seen After More

TORONTO, Aug. 22.—Regarded as a sign of returning good times is announcement that Famous Players Canadian has bought a theatre, the intimation being that the chain is in the market for additional houses.

The purchase is that of the Capitol,

(Continued on page 4)

Kent in Hollywood on Fox Studio Matters

HOLLYWOOD, Aug. 22.—Sidney Kent, who arrived here yesterday, said today the purpose of his visit is to work out current studio problems, get pictures started and give the production

(Continued on page 8)

Fox-Warner Set

Fox has closed its three year film deal with the Warner circuit, effective with the 1934-35 lineup. New York City is not included, the product here having gone to Loew's.

Rosenblatt May Name Plan To Handle Royalties Today

Division Administrator Sol A. Rosenblatt is expected to present a plan to Campi today providing machinery of a royalty system for talent on the Coast. Investigations to that end have been going on in Hollywood under his direction and it is held that he may be ready to suggest some kind of a plan for approval of Code Authority members at today's meeting.

Also scheduled for discussion by

(Continued on page 5)

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U. A. Meeting Called

HOLLYWOOD, Aug. 22.—A meeting will be held here this week by Joseph M. Schenck, president of United Artists, with all the company's owners, consisting of himself, Douglas Fairbanks, Mary Pickford, Charlie Chaplin and Samuel Goldwyn.

Joseph Moskowitz, vice-president of United Artists, leaves here for Hollywood tonight. The length of his stay will depend upon conditions on the coast, he said.

To Star Pauline Lord

HOLLYWOOD, Aug. 22.—Pauline Lord will be starred by Paramount in a film yet to be announced.

Miss Lord, who has been on a brief vacation in New York, yesterday started back for the coast.

Rialto Opening Booms

"The Dragon Murder Case" which previewed at the Rialto Tuesday night, gave that theatre its biggest business since the opening of "The Lost Patrol" in May. The latter picture holds the Rialto record of $35,000 on the week.

Mulstein Joins Price

Henry M. Mulstein has been named sales manager of Price Theatre Premiums.

One Cent Up to 50, Is New Orleans Tax

NEW ORLEANS, Aug. 22.—The local amusement ordinance, as amended today, provides theatres, legitimate and film, will pay a one cent tax on admissions under 50 cents. Five per cent will be the levy on athletic contests, night clubs, cabarets, excursion steamers, carrousel rides, games of skill and chance and mechanical devices for which admission is charged. Restaurants offering floor shows or other entertainment are classed as night clubs.

The tax is expected to yield $50,000 a year. Harry S. McLeod of the Gulf States association told the city council that theatre business is 30 per cent under normal, while the NRA has raised operating costs between 20 and 30 per cent.

New Orleans Wants A Straight 10% Tax

BATON ROUGE, Aug. 22.—The state legislature has passed a statewide tax on amusements of all kinds, of not less than 10 per cent. New Orleans is demanding a straight 10 per cent on all tickets to picture houses. At a special meeting of the commission council, Charles Rosen, attorney, representing the United Theatres, Inc., and the Saenger Theatres, Inc., said that the film industry is willing to do its part, but it is anxious that a more even distribution of the tax be made. He urged that the percentage of the tax on the smaller admissions be made less than 10 per cent.

Air Favorites Are Dance Music, Songs

Dance bands and vocal and semi-classical renditions are the favorite forms of radio programs of the American public, *Motion Picture Herald* will say today. Its findings are based on a survey conducted by Ross Federal Service for Radio Art. From this, it is evident that the public still prefers the theatre and pictures for its dramatic entertainment, it is pointed out.

The survey covered Boston, Chicago, Detroit, Kansas City, Milwaukee, New York and St. Louis and results showed that musical programs lead all others by more than 50 per cent.

"Shoe Fits Eckman," Is Bernerd Retort

"I mentioned no particular organization, but apparently the shoe fits Sam Eckman," yesterday declared Jeffrey Bernerd in reply to a reply by M-G-M's British managing director of comment made originally by Bernerd upon his arrival in New York from London several weeks ago.

The latter said he had no particular product in mind when he made the statement that "about 90 per cent of American pictures released abroad are flops" and yesterday again asserted American pictures released abroad, as a whole, are not up to the standard of previous years. "Moreover," he added, "American executives in New York have admitted this to be. The trouble with Eckman is he is too political. I should like to know if he is in England to sell his company's product or as a political advisor to M-G-M. He's a dear friend of mine, but I am afraid he has lost his sense of humor.

"Up to two or three weeks ago, British exhibitors made it very clear they were anxious to procure as many British films as possible, because they found their public found more entertainment in them than in any others. I challenge Eckman to disprove this and make the further statement that receipts on American films in England are off. I consider his statement as published in MOTION PICTURE DAILY merely as an effort to embarrass me in my work."

Terry-Moser Expand

Renovations and redecorations have been completed in the new and larger quarters of Paul Terry and Frank Moser, producers of Terry-Toons, in New Rochelle. An increase of about 20 per cent has also been made in the number of artists and animators employed at the plant.

Warners to Hold Preview

WASHINGTON, Aug. 22.—Warners will hold a preview of the first two shorts of their "Americanization" series at the Mayflower Hotel here Tuesday. Following there will be a luncheon in honor of Harry M. Warner, Col. E. M. Newman and John Kennedy.

Issues Up on Big Board

	High	Low	Close	Net Change	Sales
Columbia Pictures vtc	30½	30	30	.....	300
Consolidated Film Industries	3	2⅞	3	+ ¼	200
Consolidated Film Industries, pfd.	14	14	14	+ ½	100
Eastman Kodak	100⅞	98¾	100	+1½	2,300
Fox Film "A"	11½	10¾	11½	+1	600
Loew's, Inc.	29	28	28¾	+ ¾	6,800
Paramount Publix, cts	4¼	3¾	4⅛	+ ½	22,100
Pathe Exchange	1⅜	1¼	1¼	.....	3,400
Pathe Exchange "A"	16¼	15½	15¾	+ ¼	2,000
Warner Bros.	4¾	4½	4¾	+ ⅜	5,900

Technicolor Up ⅞ on Curb

	High	Low	Close	Net Change	Sales
Technicolor	13¼	12	13¼	+ ⅞	1,800

Most Bonds Show Gain

	High	Low	Close	Net Change	Sales
General Theatre Equipment 6s '40	7¼	6¾	7⅛	+ ⅝	21
General Theatre Equipment 6s '40, ctf	6¼	6¼	6¼	+ ¼	15
Keith B. F. 6s '46	60⅛	60⅛	60⅛	.....	.....
Loew's 6s '41, ww deb rights	100¼	100¼	100¼	— ½	12
Paramount Broadway 5½s '51	40	38	40	+3	7
Paramount F. L. 6s '47	50	48⅜	49	.....	.....
Paramount Publix 5½s '50	50	47¾	49	+1¾	123
Warner Bros. 6s '39, wd	56¾	55½	56½	+ ½	6

◂ Purely Personal ▸

ED KUYKENDALL is scheduled to leave Saturday for New Orleans where he will attend a special meeting of the Gulf States T. O. A. on Aug. 30. KUYKENDALL addressed a special meeting of M. P. T. O. of Washington in the Capitol before coming here yesterday.

CHARLES B. PAINE, RALPH POUCHER, DICK ROWLAND, JOE BRANDT, EDDIE GOLDEN, JACK COHN, PAUL LAZARUS, GEORGE BROWN, A. P. WAXMAN, DICK BRADY and BILL BARRETT were luncheon diners at The Tavern yesterday.

LEONARD M. SPIGELGASS, Universal story editor, has arrived at the Warwick from the coast for a six-week stay. His mother and sister are with him. He is here for story conferences and to see the new plays.

J. P. MCEVOY leaves the coast for New York this week to gather atmosphere for his adaptation of "The Goddess," which Paramount will produce.

W. P. LIPSCOMBE and R. J. MINNEY, authors of "Clive of India," who were to arrive here last week, are now en route on board the *Aquitania*.

MERIAN and MRS. COOPER arrived from Italy yesterday on the *Roma*. He has been shooting location shots for "Last Days of Pompeii" in Italy.

NANCY CARROLL, who is vacationing here at present, has been signed by Columbia for the feminine lead in "Spring 3100."

NAT LEVINE'S New York stay will be brief. Expects to shove off for Hollywood again on Saturday.

JERRY WALD and JULIUS EPSTEIN have sold their original "Living on Velvet" to Warners.

SHEMP HOWARD and DAPHNE POLLARD have completed work on their second Vitaphone short.

CLIFF LEWIS is in town from Hollywood.

RKO Makes Changes

Robert Ward, assistant manager of the Orpheum, Brooklyn, is now manager there.

Warren Bartlett, manager of the Orpheum, has been transferred to Boston as manager of the RKO Uptown.

Harry Lyons, manager of the Dyker, New York, is now manager of the RKO Strand, Rockville Center, L. I.

Harry Moore, manager of the Coliseum, New York, takes over Lyons' former post at the Dyker. Emil Groth replaces Moore at the Coliseum.

J. Reiss, manager of the RKO Uptown, is now manager of the Costello.

Roach Leaves Hospital

HOLLYWOOD, Aug. 22.—Hal Roach left the hospital yesterday, having sufficiently recovered from a recent appendicitis operation.

The producer leaves on his postponed New York business and pleasure trip in two weeks.

"Island" Leads N. O.

NEW ORLEANS, Aug 22.—Leading box office film of the week is "Treasure Island" with "The Cat's Paw" running second.

Things You Ought to Know
ABOUT MOTION PICTURES FOR 1934-35

A single picture company has signed *all* of these famous stars to appear in new-season productions, *in addition* to their regular star list.

IRENE DUNNE

RUDY VALLEE

CLAUDETTE COLBERT

FRANCHOT TONE

CAN YOU NAME THE COMPANY?

(Answer on the next page)

YOU'VE GUESSED IT—of course the company that is up and doing the IMPORTANT things is—

WARNER BROS.

[Answer to Question on Page 3]

Para. May Be Reorganized By October 1

(Continued from page 1)

until a short time ago. Within recent weeks, however, progress has advanced to the point where only the designated representatives of the committees have found it necessary to confer. These representatives have been Johnston, Newton and, since the departure of Vanderlip for Europe some weeks ago, Dr. Julius Klein, reorganization advisor for the bondholders' protective committee.

Other creditors' groups, particularly the general creditors' committee which includes Erpi, retain an important voice in reorganization proceedings but any potential opposition to the plan nearing completion would be of much less significance, should it develop, than would opposition originating from any of the three creditor groups most intimately associated with the plan.

Without the consent of any one of the three groups, adoption of the plan would be next to impossible, it is said. Dissenting voices outside of the three principal committees would be heard only in court and there with doubtful effectiveness, it is viewed in some quarters.

Reorganization of a debtor corporation under the new bankruptcy laws gives the most influential voice to those creditors whose claims are largest both in amount and in number. The three groups named meet this condition in Paramount.

Famous Canadian Seen After More

(Continued from page 1)

Welland, Ont., from the S. L. Lambert Estate, the price being $60,000.

BALTIMORE, Aug. 22.—The Gayety, only burlesque house in town and operated by Hon Nichols who also operates the Embassy, a film house a few doors away, will reopen Saturday night with traveling shows. The house has been renovated during the summer dark period.

Milton Caplon, proprietor of the New Dixie, has opened his new Dainty Theatre, a few blocks west on Baltimore St. from the former. The Dainty was remodeled from the old Realart.

TERRE HAUTE, Ind., Aug. 22.—The opening of the Grand, which has been closed for several weeks while workmen were remodeling, is set for Aug. 26. Opening film will be "Handy Andy." The theatre is operated by the Fourth Avenue Amusement Co.

BUFFALO, Aug. 22.—A. Charles Hayman will reopen the Great Lakes Aug. 31 with "One Night of Love." Believed at first to be out of the running because of lack of product, Hayman now is figured to be able to get enough "class" pictures out of the Columbia and Universal lineup to take care of the Great Lakes, with independents figuring as second attractions on the Lafayette's double bills.

WILMINGTON, Aug. 22.—The Arcadia, a Stanley-Warner first run will reopen Sept. 1. The theatre is now being renovated and new equipment installed. Programs will change twice weekly.

COLUMBUS, O., Aug. 22.—The Lyceum, heretofore a straight two-a-day burlesque house, has installed new sound equipment, and will play a combination policy of pictures and stage attractions on a grind basis, opening with "Cash."

DETROIT, Aug. 22.—Openings this week and in the near future are: Forest Theatre, 500 seat main stem house opened by Jacob Schriber, who recently reconditioned and remodeled making it the nabe showplace of Detroit.

George Trendle announces that the State will reopen its doors on Sept. 14 with a double feature second run policy while the Capitol, formerly the Paramount, will open Aug. 31, with a first run picture and stage show policy.

COSHOCTON, O., Aug. 22.—The Sixth Street (Warner), dark for the past two months, has been reopened with a full time policy with Harry Brodie as manager. The house has been completely remodeled under supervision of D. Leonard Halper, formerly of Chicago and now of Cleveland, who is in charge of all construction and maintenance of Warner theatres in Ohio.

YOUNGSTOWN, O., Aug. 22.—The Park here (Feiber & Shea) reopens Aug. 26 with a first run dual film policy. Joseph Shagrin is manager. The house has been completely renovated and repainted. Admission will be 15 cents afternoons and 20 cents nights including tax. Children's admission will be a dime at all times.

Shagrin said film programs will be interrupted occasionally this fall and winter to permit showing of road shows.

SEATTLE, Aug. 22.—The Colonial Tacoma, now dark, is being remodeled by Mike Barovic. It will be reopened on a second run policy in August under the name of the Beverly.

City Sets Income Levy

Mayor LaGuardia, in a radio address last night outlining his tax program to raise funds for emergency relief, said a tax of one-half of one per cent would be levied on the gross earnings of business, industry and professions. It is understood incomes of $5,000 and more yearly would come under the tax.

Coast Splurge on 'Dames'

HOLLYWOOD, Aug. 22.—Warners are going to town on the local campaign on "Dames," which opens here at both the Hollywood and Downtown, Aug. 30. The city is plastered with 125 twenty-four sheets and 75 one half sheets.

Sunday Move Delayed

CLARION, Pa., Aug. 22.—Action has been deferred on a local petition for Sunday shows. The petition, presented by Samuel Wilson, attorney for a local theatre owner, has been presented to council and church interests are expected to oppose the move.

Take Initial Step in Suit 15 Mos. Old

The first move toward the prosecution of the suit to set aside the $13,000,000 credit transaction between Film Productions Corp. and 12 creditor banks since the filing of the action 15 months ago was taken yesterday by counsel for the Paramount Publix trustees in seeking an examination before Special Master John E. Joyce of officers of three of the defendant banks.

On the plea of the banks that the subpoenaed officers were unprepared for the examination, Joyce granted a postponement until tomorrow without prejudice to a petition by the banks for a further postponement. Officers who have been subpoenaed for examination under Section 21-A of the new bankruptcy laws are associated with the National City Bank, Bankers Trust Co. and the Chemical Bank & Trust Co. Other defendant banks in the suit are County Trust Co., Manufacturers Trust Co., Commercial National Bank & Trust Co., Continental Illinois Bank & Trust Co., Tradesmen's National Bank & Trust Co., First National Bank of Chicago, Empire Trust Co. and Bank of America National Trust & Savings Assn.

12 Banks in 1932 Transaction

All 12 banks were parties to a transaction in 1932 which made available to Paramount a $13,000,000 credit which was secured by title to 23 negatives held by Film Productions Corp., a Paramount Publix subsidiary. Following the Paramount bankruptcy, Charles D. Hilles, Eugene W. Leake and Charles E. Richardson, trustees of Paramount, opened negotiations with the banks to re-transfer title to the pledged negatives from Film Prod. Corp. to Paramount Publix. The trustees contended that the transaction, which made the banks creditors of Film Productions, gave the banks a preference under the Paramount bankruptcy. The trustees maintained that the banks properly were creditors of Paramount Publix and as such should have the same standing as other general creditors of the parent company.

The negotiation to re-transfer title to the negatives to Paramount Publix failed and, last June, Root, Clark, Buckner & Ballantine, counsel for the Paramount trustees, filed suit in U. S. District Court here in an effort to have the transaction set aside. No move to prosecute the action, however, was made up to yesterday.

Samuel S. Isseks, of counsel for the trustees, said yesterday that it is expected that the case will go to trial in October and that if it is not reached by the end of that month a motion would be made to obtain a preference for the case on the Federal court calendar.

Beekman, Bogue & Clark appeared as counsel for the defendant banks yesterday.

Ford on Robinson Film

HOLLYWOOD, Aug. 22.—Columbia has signed John Ford to direct "The Jail Breaker," starring Edward G. Robinson. The film will start about Oct. 1.

Labor Union Check Under Law Foreseen

(*Continued from page* 1)

membership as not sufficiently aggressive.

"The National Ass'n of Manufacturers has distributed copies of the British trade disputes act of 1927 and apparently will sponsor some such law in the United States.

"The British act made strikes illegal under certain conditions, prohibited sympathetic or general strikes, limited picketing and in general controlled local employment relations.

"'We will fight strenuously against any such plan,' said William Green, president of the American Federation of Labor.

"'In addition, we are taking an active part in the campaigns this fall. We are going into the labor record of every candidate for office and will support only the worthy ones. We won't stand for any weakening of our rights under the recovery act.'

"Another type of labor union control, advocated by some employers, is illustrated in the last midmonthly review of the National Ass'n of Credit Men. Henry H. Heimann, executive manager, proposed a three-point labor program to provide more able labor leaders, control through a national body and fair practice codes for labor unionism comparable to the NRA codes for industry.

Oppose Labor Representatives

"The recovery act, while specifying what industry may or may not do, leaves labor without restrictions.

"This plan, which in similar form has been discussed in Washington, is intended to meet the argument of many employers that, while not opposed to the principle of collective bargaining, they do not want to deal with the type of men now being put forward by organized labor.

"Another approach to this problem is the announced intention of the Federation to war on communist groups in the labor movement. Some labor liberals see in this a threat that more progressive ideas, or anything not sponsored by the conservative leadership, will receive a communist tag and and forthwith be opposed on that score.

"The anticommunist drive apparently was started because some Left Wing groups, notably in the San Francisco general strike, took the leadership away from the Federation. Green does not want to admit he cannot control his unions, nor does he want to sponsor some of the tactics adopted by radical elements.

A. F. of L. Faces Changes

"The San Francisco convention of the Federation, beginning Oct. 1, will see a revival, in greater strength than heretofore, of the efforts to change the Federation's policies toward industrial unions, and to enlarge the Federation's Executive Council to make room for new blood.

"The secession movement in the automobile industry unions is not taken seriously by Green, he said.

"'We feel that this will only strengthen our organization,' he said.

'We feel that there is undoubtedly some influence being exerted by the employers to stir up trouble and disaffection.'

"Arthur E. Greer, sponsoring the secessionist movement, has called a rump convention for next month with invitations to all not satisfied with the A. F. of L.

"'We have positive knowledge of seven locals and prospects of twenty signifying intentions ot attending the convention,' Greer said.

"'We expect 150 delegates representing twenty-five locals with four or five States represented. Eventually we hope that our union will embrace all workers in the automotive field.'

"One significant thing about Greer's revolt is that he has been joined by a union of which Richard L. Byrd, labor representative on the Automobile Labor Board, formerly was secretary. Byrd, former Olympic games athlete and a war veteran, is not being counted upon by the federation to help its cause in any disputes arising in the automobile industry."

I. T. O. Theatres Win Point in Picket War

Mass picketing of three member theatres of the I. T. O. A. by Local 306 men was checked yesterday when Justice Steuer, sitting in a special term of the Supreme Court, granted an injunction restraining 306 until argument of a motion in the case. Weisman, Quinn, Allan and Spett, attorneys for the Star, Art and Ritz, declared this means the picketing, reduced to not more than eight men in front of each of the houses, is temporarily checked until Tuesday.

Some independent exhibitors charge Mayor LaGuardia's order against mass picketing applies to Loew houses only. They cite an incident at the Star, operated by Edmund Mantell in the Bronx, on Tuesday evening when 30 IATSE men paraded in front of the theatre, opposite Loew's Spooner, and continued the practice after Mantell had asked the police to disperse the group. It is charged the police replied the mayor's orders apply only to Loew theatres.

Few New Assentors In "Kaycee" Area

Kansas City, Aug. 22.—Extension of the code assent deadline to Aug. 15 was not greatly productive of new assentors in this territory. Grace Gannon, board secretary, received 15 inquiries from exhibitors. While only five returned signed assents to the local office, it is believed others forwarded theirs to Code Authority direct.

Miss Gannon reports almost all assentors in Kansas-Western Missouri have paid their assessments.

Quiet on Campi Ground

Detroit, Aug. 22.—It is a quiet week around the local Campi offices. No grievance cases are scheduled to be heard, E. S. Kinney, secretary, stated.

Rosenblatt May Name Plan To Handle Royalties Today

(*Continued from page* 1)

Campi today is the subject of reallocating producer-distributor assessments for code administration costs. Following the recent protests of 37 major and independent companies against the amounts for which they were assessed, Campi's finance committee, comprising S. R. Kent, Nathan Yamins, Harold S. Bareford and Charles L. O'Reilly, reopened assessment procedure.

Several companies have urged that the levies be based on the annual gross business of each company.

Hearing dates on scores of appeals from local clearance and zoning boards' rulings will also be set by Campi today. It is expected the appeals hearings will extend over a period of several months.

Denver Police Stop Lotteries, Giveaways

(*Continued from page* 1)

Denver. Therefore, we wish to advise that if any such lottery is conducted in the future, you will be prosecuted according to law."

Within the past nine months, the Huffman group of eight theatres has given away 31 Ford automobiles, with a value in excess of $22,000. This, added to country stores and cash and bank nights, would make a formidable sum.

The police order includes any giveaways by amusement parks, stores, and also prizes with penny bars of candy. The action was taken as the result of a drive against gambling, started by an expose of the slot machine racket, by the dailies.

A section of the provisions on the amusement license issued by the city covers the giveaway situation very neatly. It has not been taken advantage of by anyone for the reason that very few knew it was there. It says:

"Provided, that no gaming, raffle, lottery or chance gift, distribution of money, or articles of value shall be connected therewith, or allowed therein, or in anywise be permitted or held out as an inducement to visitors and provided further that this license is subject to revocation, and upon these terms is so accepted by the licensee herein."

The Denham and Ogden have filed complaints with the grievance board against the Huffman string over the auto giveaways. They intend to proceed with the case regardless of the police interference.

The state law provides any lottery can be punished with a fine of at least $100 and not less than 30 days in jail.

3 Cases Up in L. A.

Los Angeles, Aug. 22.—Three new grievances were heard by the local grievance board yesterday.

The Diana versus the Casino and the Plaza versus the Orpheum, all in San Diego, were involved on a reduced admission complaint growing out of the use of passes.

The other involved the Hollywood and the Iris, two local houses, the complaint charging the latter with advertising a current picture as a preview.

Reorganizing Is Asked for Fox Theatres

(*Continued from page* 1)

petition was filed by Charles L. Kelby, local attorney.

Removal of the company from receivership was asked on the ground that it could be more economically run under a plan of reorganization and that it would be faced with less hardships than under a receivership.

The petition gave current assets as $1,050,751 and set the book valuation of the stock at $17,045,152, with $10,465,631 as the receiver's valuation. Total liabilities were listed at $5,774,398 as of Dec. 31, 1933. The current deficit was given in the petition as $25,842,846.

Deal in Frisco Gives FWC 1st Run Control

(*Continued from page* 1)

situation here. Indications are that an increase in all first run scales will follow shortly.

Leo, who refused to divulge the terms of the Fox deal, said that the house would be operated on a double feature policy with major company product used.

O. K. on Throwaways Denied by Rosenblatt

(*Continued from page* 1)

at a hearing yesterday before the New York grievance board, Rosenblatt indignantly asserted, "I never gave any such authorization and haven't talked with Brandt for a long time." Indicating his intention of leaving the dispute between the Roxy and the Globe over rate-cutting entirely in the board's hands, he added: "This is a matter for the grievance board under the code to determine. I never made any statement prejudging the case whatsoever."

Rosenblatt firmly declined to comment on the issue beyond referring to code clauses on reduced admissions.

Berinstein Flies to Protest Zone Delay

(*Continued from page* 1)

schedule. He travels east as representative of the recently formed Associated Exhibitors, Inc., and is accompanied by Lou Halper, member of the local grievance board and Warner theatre divisional manager.

Openly voiced opinion here runs that "certain" Campi members, names not mentioned, are being subjected to pressure to delay their consideration of the zoning plan due to unsettled conditions. Exhibitors assert this makes the going even tougher for them.

Evidence Shy; No Case

Des Moines, Aug. 22.—The Firemen's theatre at New Hampton appeared before the clearance and zoning board, claiming Waterloo was being shown preference in obtaining first run pictures. The objections were made by E. C. Potter of New Hampton. The case was dismissed for lack of evidence.

Despite the strongest opposition

HELD OVER FOR

RADIO CITY

and

NOTHING SHORT OF *sensational* AT:

FIFTH AVE., Seattle

NEW, Baltimore

PALACE, Cincinnati

APOLLO, Atlantic City

STRAND, Louisville

Broadway has seen in years . . .

2nd WEEK AT MUSIC HALL

HAROLD LLOYD'S "The Cat's Paw" joins Radio City Music Hall's immortals . . . Only seven other pictures have been held over in that theatre's history . . . *and no other comedy!* Meanwhile, word-of-mouth increases the mammoth crowds to all-day S. R. O. business. A record worthy of so great a picture . . . one that will bring *you* untold revenue!

HAROLD LLOYD

in

The Cat's Paw

From the Saturday Evening Post story
by **CLARENCE BUDINGTON KELLAND**

PRODUCED BY HAROLD LLOYD CORPORATION A FOX RELEASE

Every thing *new* but these

MPPDA Seal Accepted By Independents

(Continued from page 1)

code of fair competition for the industry, the M. P. P. D. A. and the Independent Producers' Ass'n. agree to combine their strength to maintain like moral standards in the production of films as a form of entertainment. To that end the independents pledge to adhere to the regulations promulgated by and within the industry to assure the attainment of that purpose.

"The need of solidarity in this matter to assure to all organizations, public bodies and the public of the purpose herein expressed is evident. Therefore, that all may know our industry can and will regulate itself in the public interest, the Independent Producers' Assn'., acting in conjunction with the Hays office, will from this date have all productions of its members bear the certificate of approval issued by the Production Code Administration in association with our duly authorized representative, Chadwick."

Kent in Hollywood on Fox Studio Matters

(Continued from page 1)

units the value of sales and theatre contacts.

Commenting on his reported resignation from Fox and his taking over another unnamed organization, he stated:

"The entire fabrication is a series of vicious lies without the least foundation in fact. The stories were palpably circulated for the purpose of creating trouble, with an unsuccessful attempt to shake the morale of this organization. I emphatically deny all the scatter-brained effusions being broadcast here by these agitators.

"The statement that Fox intends distributing through Paramount or vice-versa has never been discussed in either the Paramount or Fox councils. We are pleased with our distribution and I feel certain Paramount is with theirs.

"Fox today is distributing at a cost lower than at any time in its history. There are more accounts on our books today and more being added each week than at any time since Fox started in the business. Facts such as these give the lie to any intended distribution mergers."

$42,642 6 Mos. Gain By Pathe Exchanges

Pathe Exchanges reports a net profit of $42,642 after taxes and all charges for the six months ended June 30. This compares with a net loss of $54,274 for the similar period of 1933. Current liabilities this year were $150,799, as against $152,664 last year.

Flash Review

Case of the Howling Dog— . . . jells as acceptable entertainment. . . .

This film will be reviewed in full in a later issue of Motion Picture Daily.

Looking 'Em Over

"There's Always Tomorrow"

(Universal)

There is a charm and a simplicity about this, Universal's opening attraction for the new season, that is apt to get under any audience's skin if it doesn't watch out. As a matter of fact, that probably will happen, audiences notwithstanding.

Nothing much happens in "There's Always Tomorrow." The story it tells is one that can, in fact does, happen in any American or in any other kind of city. But not so much what happens as how Director Edward Sloman and his cast make it happen, is the thing which plays touching havoc with the emotional range.

It's all quite simple and minus any villainy. You get Frank Morgan, your average middle-class citizen, the father of five children, and a pleasant enough wife, Lois Wilson. The "old man" is accepted, stepped on, not maliciously but thoughtlessly, until he finds himself virtually crowded out of his own home.

There appears on the scene Binnie Barnes. She once worked for him years ago, fell in love, never told him so, knew he had married but kept out of his way until the desire to see and talk with him once more was not to be denied. So she looks him up.

Where his family carelessly walked on and over him, she gives him understanding. On lodge nights, he spends an innocent evening with her, basks in her solicitation, appreciating her efforts in making him feel important for those few short hours.

The kids run into the situation and think the worst. Their car stalls in front of her house and she calls them in, recalling her introduction to them through the windows of Morgan's home earlier. Cleverly, Miss Barnes, realizing the danger confronting Morgan, not herself, opens up to tell the children the story of her romance. In other words, she fashions the shoe and they recognize it fits them. She clears Morgan simply enough by explaining the truth for what it is.

The following Thursday, she determines to complete Morgan's recognition by his own family by visiting his home as the oldest boy is about to take his father to task. Leaning on the truth partially and on gallant lies partially, she announces she is stepping out of the frame of a picture which she knows holds no place for her. The children understand then how a lady can act. The family is reunited with more understanding assured on all hands and Miss Barnes drives off.

"There's Always Tomorrow" is a swell job of treatment and acting. That's why it emerges a well-done, heart-warming picture. It has much of the noble qualities of the sacrificial woman in "Back Street," but totally minus any suggestion of irregular sex relations.

Miss Barnes shows vast promise. They'll be asking for more of her when her first American picture makes the rounds. Running time, 87 minutes.

KANN

"Hideout," tomorrow's opener at the Capitol, was previewed by wire from Hollywood on July 31.

"Charlie Chan's Courage," opening at the Roxy tomorrow, was previewed from the coast by wire on July 3.

100% Jump in Tax Faces Mo. Exhibitors

Jefferson City, Mo., Aug. 22.—Theatre grosses would be taxed one per cent under a recommendation Governor Park will make to the next legislature to double the present sales tax of one-half of one per cent. He will also recommend extension of the levy, which was voted to hold effect until the end of next year.

Brown Is Due Today

Hollywood, Aug. 22.—Clarence Brown, M-G-M director, left by plane for New York today. He has plans for a flying tour of key cities, contacting exhibitors. He also intends to tour Europe by plane to gather first-hand information on production and exhibition there.

The plane on which Brown is a passenger is due here this morning.

Walsh Is Executive Committeeman Now

Morgan Walsh, president of I. T. O. of Northern California, has been elected a member of the national executive committee of M. P. T. O. A., Ed Kuykendall, president of the national organization, said yesterday.

Walsh will attend his first session of the executive committee when that body meets in Chicago within the next few weeks. A date for the meeting has not yet been set by Kuykendall. At the Chicago session the executive committee is scheduled to map new anti-double feature plans for future M. P. T. O. A. action, and will discuss the production cleanup, proposed music tax increases and act on the applications of several regional exhibitor organizations for membership in M. P. T. O. A.

Vote $5,000 Yearly As Samuelson Wage

(Continued from page 1)

Thursday to rename him in what will be an uncontested re-election to the presidency and also to determine when the salary begins to flow. For four years, Samuelson has been working on "the cuff," having his expenses only met.

It is learned the impending salary will be raised from profits of the organization's program.

Abram F. Myers, Allied's general counsel, is on the program for a speech Thursday afternoon, this to be preceded by elections in the morning.

A one hour session was held this afternoon, devoted to a general introduction of the 100 exhibitors attending the Allied parleys. Included are Herman Blum, Maryland; Aaron Saperstein, Illinois; Fred Herrington, Western Pennsylvania; Walter Littlefield, Massachusetts; and Myers. Baltimore, Troy, Philadelphia, Cleveland, Cincinnati, Columbus and Boston are represented.

Tonight in the absence of any set program, members were seeking entertainment on their own.

Atlantic City, Aug. 22.—The presence around the Allied convention of David Barrist and Ben Golder of the I. E. P. A. of Philadelphia gave rise to reports that, by the time the Allied meeting terminates, this unit will have joined up. This would follow joining 10 days ago of units in Cincinnati and Cleveland.

Merger Company Formed

Albany, Aug. 22.—Trio-Consolidated Corp. of New York City has been chartered with capital of 20 shares non-par value stock. Lawrence Bolognino, Max Richter, John W. Springer, and Ernest Maler, are directors and subscribers. Kelley & Connelly are attorneys.

Broadcast Pictures, Inc., of New York City, has been chartered with $20,000 capital, to exhibit. Julius R. Stein, Sylvia Breeman and Fanny Fisher, are directors and subscribers. Helfat & Cortland are attorneys.

Trio-Consolidated Corp. is the corporate name to cover joint operations of the Consolidated circuit, operated by Lawrence Bolognino, and the Springer and Cocalis houses.

Ben Rosenberg Better

New Orleans, Aug. 22.—Ben Rosenberg of National Screen has been discharged from the Doctor's Hospital and has resumed his tour of key cities. He spent the last five weeks here suffering from an attack of sciatica.

Funeral for Haarmann

Omaha, Aug. 22.—Funeral services were held here for Charles H. Haarmann, 73 years old, father of William Haarmann, booker at local Paramount exchange. Haarmann had been a resident of Omaha 63 years.

In K. C. on Policy

Kansas City, Aug. 22.—John Balaban of B. & K. and Nate Platt, division manager, were here in connection with a change in price policy at the local Publix Newman.

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Skouras and Randforce May Stay On

Deal Brews to Keep Them With Fox Met

New short-term operating contracts on a revised basis are being negotiated with Skouras and Randforce by the Fox Metropolitan bondholders' committee, it was learned yesterday.

The new contracts are understood to provide for a six months' operating arrangement to cover the period of the Fox Met reorganization under the new bankruptcy laws. It is reported that they call for a waiver of salaries by Spyros, George and Charles Skouras and Louis Frisch and Samuel Rinzler, these operators to agree to a small percentage of profits for the

(*Continued on page 2*)

Fox Theatres Given 10 Days to Answer

Officers of Fox Theatres have 10 days in which to file an answer to the involuntary petition for reorganization of the company under the new bankruptcy laws as asked by three creditors in U. S. District Court here on Wednesday. A hearing on the petition will be set by the court after the filing of the company's answer.

Archibald R. Watson of the law firm of Watson & Willguss, attorneys for the Fox Theatres receivers, is the new president of Fox Theatres, elected two weeks ago. Directors, in addition to Watson, are Isaac H. Levy, Alexander C. Dick and Peter Johnston.

Fox Theatres owns all of the common stock of Fox Metropolitan Playhouses.

Warners Seen One Up In St. Louis Fracas

St. Louis, Aug. 23.—Warners have lined up Radio product first run here. In combination with their own and Paramount, they now find themselves one up on their chief rivals, Fanchon and Marco, in the opinion of many local observers.

The F. and M. problem in Harry Arthur's lap is what to do about

(*Continued on page 2*)

Calls Drive a Real Service to Industry

Washington, Aug. 23. — "The churches have done the industry a great service in forcing the deletion of inexcusable vulgarity from the

(*Continued on page 2*)

Change in Policy to Sidestep Overbuying Charge Banned

Policy changes which increase a theatre's film requirements and are made after an overbuying complaint has been filed with a code board against the theatre are recognized as a subterfuge on the part of the accused house in a resolution adopted unanimously by Campi at its regular meeting yesterday.

The resolution states the practice may be sufficient grounds for Campi to find the theatre complained against guilty of violating the unfair trade practice provision of the code and may award to the complaining exhibitor the number of additional films represented by the change of policy.

The resolution follows:

Whereas, heretofore in complaints filed under Article V-E, Part 2 or Article VI, Part 2, Section 1, respondents in such cases have, after the filing of such complaint or the determination of the local Grievance Board, increased the number of motion pictures exhibited in the theatre or theatres involved pending hearing or final determination by the Code Authority, and

Whereas, this practice has resulted in irreparable damage to complaining exhibitors in such cases, now, therefore, be it

RESOLVED: That the Code Authority shall in its discretion, declare any increase in the number of feature motion pictures exhibited by any respondent in such case, after the filing of a complaint under Article V-E, Part 2, or Article VI, Part 2, Section 1, and pending final decision by it, a violation of Article VI, Part 2, Section 1 (b) of the Code of Fair Competition for the Motion Picture Industry, and the Code Authority may add the number of feature motion pictures representing such increase to the award made to the complainant.

Fight Weekly Payment Plan With Shorts

By **WILLIAM ORNSTEIN**

Atlantic City, Aug. 23.—Fox, M-G-M and Paramount are insisting that they buy all shorts and pay for them on a weekly basis regardless of the number played, whereas heretofore it was playdates that meant payments. The practice is spreading and is a violation of the code.

Approximately 40 exhibitor delegates at Allied's eastern convention

(*Continued on page 4*)

Ostrer Due in Today To Decide G. B. Plan

Final decisions on pending deals in connection with Gaumont-British plans for a distribution setup in

(*Continued on page 6*)

"Last Ditch" Duals Fight Is Promised

Kansas City, Aug. 23.—Southern California independents are determined to fight to the "last ditch" to retain dual bill penalties in their clearance schedule now awaiting Campi's consideration, declared Ben Berinstein, president of Associated Exhibitors, Inc., early this morning during a stopover of the west-east TWA plane.

New York bound, Berinstein carries

(*Continued on page 6*)

ITOA to Seek Troops Unless Pickets Ease

The I. T. O. A. declared yesterday that unless Mayor LaGuardia ceased his alleged discriminations against

(*Continued on page 6*)

Ask $721,204 for 14 Mos. Fees in Paramount Case

Petitions for fees and special allowances aggregating $721,204 for services rendered during the 14 months of the Paramount Publix bankruptcy were filed with Special Master John E. Joyce yesterday by the Paramount trustees in bankruptcy, their counsel and special accountants and counsel employed by them.

The three trustees, Charles D. Hilles, Eugene W. Leake and Charles

(*Continued on page 6*)

Campi Holds Cancellation Includes U. A.

Reported Decision May Precipitate Suit

Campi is understood to have held yesterday that United Artists must subscribe to the cancellation clause under the code and that any exhibitor is entitled to exercise the 10 per cent privilege if he buys all the product offered and regardless of whether he signs one or more contracts.

The case involved the Albion, Albion, Ind., which claimed its cancellation privilege. The minutes of the Indianapolis grievance board were taken up by an appeals committee in New York on Aug. 7 when the group

(*Continued on page 6*)

No Move in Chicago To Rule Off Doubles

Chicago, Aug. 23.—Exhibitors in the local area have refused to join in any move to ban duals, the general feeling being that an exhibitor's policy is his business and the man who sells him product.

There is no mention in the local clearance and zoning schedule on duals and houses playing them will continue to do so undisturbed. There is no agreement on the type of policy an exhibitor can run, but many exchanges are incorporating clauses in contracts prohibiting another feature on the same program with its own release.

Milwaukee Operators Want 25% Increase

Milwaukee, Aug. 23.—Union operators are demanding wage increases averaging 25 per cent when their new contracts become effective here Sept. 1. A tentative contract has been presented to the Allied Independent Theatre Owners' Ass'n., according to O. E. Olson, business manager of Local 164 and several meetings with a committee from the association have been held. The demand affects approximately 200 men in about 80 houses.

Paramount, Strand In B'klyn in Pool

Paramount and Warners yesterday concluded a pooling arrangement binding together the Paramount and the Strand, Brooklyn, and making available to both houses the product of each company. Separately, Paramount

(*Continued on page 2*)

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Calls Drive a Real Service to Industry

(*Continued from page* 1)

screen," stated Cecil B. DeMille today at a luncheon at the National Press Club. The public wants clean pictures without the formality of censorship, he added.

DeMille also made an appeal for the "serious, hard working people engaged in the art of reflecting life as it is and as it was lived" and deplored the mass of misinformation now purveyed to the public. If produced in good taste, DeMille declared, any subject can be filmed. Producers lacking such taste will be automatically eliminated through the "inherent decency" of audiences, he concluded.

Paramount, Strand In B'klyn in Pool

(*Continued from page* 1)

has closed with Si Fabian, operator of the Brooklyn Fox, to take over its interest in the now pooled Brooklyn Paramount. The arrangement, however, does not embrace the Fox.

Paramount and Warner product will alternate in the Paramount theatre, which is the bigger of the two pooled houses. The policy, effective today, starts with "Cleopatra" after which "Dames" goes in, to be followed by "She Loves Me Not" and "British Agent." Stage shows go out of the Paramount, but the orchestra remains, too. . . . Those first estimates of the first week's gross on "Cleopatra" at the New York Paramount were modest, believe it or not. Forecast for a $60,000 to $70,000 gross by Paramount men, the actual figures will nestle close to $75,000. Wednesday was bigger than Monday or Tuesday. . . .

Insiders' Outlook

DON'T point guns and don't pull triggers because we touch again on what is one of the oldest of bromides in the picture business: That the public will open apparently hidden pocketbooks to support the films it wants to see. Old, old story, it emphasized its unerring truth again the other night when the opening of "The Dragon Murder Case" gave the Rialto its biggest since "The Lost Patrol" which, at $35,000, holds the house record there. Opposition was only "Cleopatra" at the Paramount, "Dames" at the Strand, "Treasure Island" at the Capitol, "Bulldog Drummond Strikes Back" at the Rivoli and "The Cat's Paw" at the Music Hall. . . .

▼

De Mille—Cecil B.—dishing it out to the boys of the National Press Club in Washington yesterday, said several things. (1) If produced in good taste, any subject can be filmed. *That one answers itself for, of course, it is palpably not true.* (2) The public wants clean pictures without the formality of censorship. *We remind of De Mille's dance in "The Sign of the Cross" and the dance of the bull in "Cleopatra," the latter—meaning the dance—clipped to a flash as it is.* (3) Producers lacking in good taste would be automatically eliminated through the inherent decency of audiences. *Several decades is a long time to wait. . . .*

▼

Paramount executives feel their very troublesome problem of what to do with the Paramount, Brooklyn, begins to solve itself via the pool with the Warner Strand in that borough. Outside, but very close by, is the Fox. Si Fabian, who gets Paramount's end of the pool, runs all of the Fox. Some day that third theatre may go in, too. . . . Those first estimates of the first week's gross on "Cleopatra" at the New York Paramount were modest, believe it or not. Forecast for a $60,000 to $70,000 gross by Paramount men, the actual figures will nestle close to $75,000. Wednesday was bigger than Monday or Tuesday. . . .

▼

It was a wild day in some respects yesterday. Ben Berinstein hurrying east from the coast on the dual situation in Southern California, made the statement he would carry the issue to President Roosevelt if Campi didn't give relief in a hurry. The I.T.O.A. here in New York said it would demand that Governor Lehman call out the troops unless Mayor La Guardia cut out alleged discrimination in favor of Loew's on the local picketing question. Nice conservative folks in this business. . . .

▼

Inside on those recent RKO deals—11 houses are involved—has it the arrangement is not a booking deal. Neither is a pooling deal, but purchase of an interest in the annexed theatres. Confirmation is lacking, but, if these are the facts in the case, the conclusion appears to be that RKO is slipping away from the pool idea in favor of buy-ins. There is afloat, too, a story that the Radio string contemplates building new theatres on sites which have been kicking around for some time among the company's assets. This portion of the tale is conceded as a possibility "at some time or other, but not now." . . .

▼

While charges are available about any time, day or night, that one might want to listen about cut-throat, price-slashing tactics in the sale of newsreels, there is one reel, owned by a company with more theatres on its hands than it would like to have, which makes it mandatory for its reel to play its houses. The rentals are pretty high, so high that it explains why this newsreel is doing such a handsome weekly gross. . . . Something to wish: That the Capitol orchestra does infinitely better work on its fiddles and its wind instruments now that the Fokine ballet opens at that house today. . . . KANN

Loew's Pfd. Up 2 on Big Board

	High	Low	Close	Net Change	Sales
Columbia Pictures, vtc	30½	30⅜	30½	+ ½	300
Consolidated Film Industries	3	3	3	.....	200
Consolidated Film Industries, pfd	14⅜	14¼	14¼	+ ¼	200
Eastman Kodak	100¼	99½	100	.....	600
Fox Film "A"	12⅜	11⅜	12⅛	+ ⅝	1,000
Loew's, Inc.	29⅛	28⅛	28⅝	— ⅛	5,300
Loew's, Inc., pfd	92	92	92	+2	100
Paramount Publix, cts	4	3⅞	3⅞	— ¼	2,500
Pathe Exchange	1⅜	1¼	1¼	.....	5,200
Pathe Exchange "A"	16⅝	16	16	+ ¼	3,000
RKO	2⅝	2½	2½	+ ¼	2,100
Warner Bros.	4¾	4⅝	4⅝	— ⅛	2,400

Technicolor Single Issue on Curb

	High	Low	Close	Net Change	Sales
Technicolor	13¾	12¾	13¼	.....	1,700

Para. F. L. Bonds Off 1⅜

	High	Low	Close	Net Change	Sales
General Theatre Equipment 6s '40	7¼	7	7¼	+ ⅛	6
Loew's 6s '41, ww deb rights	101¼	101¼	101¼	.....	1
Paramount F. L. 6s '47	48	48	48	—1⅜	6
Paramount Publix 5½s '50	48¾	48¾	48¾	— ⅞	5
Pathe 7s '37, ww	97	96½	97	+ ½	15
Warner Bros. 6s '39, wd	56⅜	56	56	— ⅜	9

Skouras and Randforce May Stay On

(*Continued from page* 1)

period specified in the contracts. The salaries of the five now aggregate $119,200 per year.

Charles Skouras, questioned yesterday, denied that new negotiations on operating contracts were under way. Morton G. Bogue, of counsel for the bondholders' committee, admitted that negotiations were under way but stated,

"We don't know yet what agreement can be reached."

The conferences have been conducted by Ernest W. Niver, chairman of the Fox Met bondholders' committee, and William M. Greve and Alvin J. Schlosser, members of the committee.

Archibald Palmer, attorney for independent Fox Met bondholders, said yesterday that he would demand that the negotiations be conducted publicly, charging that the purpose of the short-term operating contracts was to place the committee in a position where a sale of the circuit could be consummated in the open market after Fox Met had been reorganized and removed from court jurisdiction.

Warners Seen One Up In St. Louis Fracas

(*Continued from page* 1)

product for the five houses the circuit controls. Even in the event duals are thrown out of the town, F. and M. must have enough pictures for the Fox, Ambassador, St. Louis, Grand Central and Missouri if they propose keeping the quintet running.

The Orpheum reopens Sept. 15 under Warner management, according to B. F. Moore. This house and the Shubert-Rialto, first run acquired by Warners some months ago, will split the RKO product and others available. Even if Warners continue their standout decision to maintain duals, it is argued they have enough for their two houses.

Hamrick, Evergreen Acquire N. W. Spots

PORTLAND, Aug. 23.—John Hamrick takes over the old Pantages Sept. 1. Evergreen States Circuit, formerly FWC, takes over the Paramount in Portland and Seattle.

It is reported Fanchon and Marco stage shows will be resumed in the two latter houses.

YOU'LL LAUGH AT THEIR TROUBLES

AS YOU THRILL TO THEIR ROMANCE!

Janet Gaynor proves a genius at light comedy . . . Lew Ayres brings you a contagious youthful vitality. Together they give the happiest performances of their lives . . . in this gay, exciting escapade of a millionairess . . . masquerading as a maid servant . . . who goes through hot and cold water for the man she loves.

Janet *Lew*

GAYNOR AYRES

in

Servants' Entrance

NED SPARKS	WALTER CONNOLLY
LOUISE DRESSER	G. P. HUNTLEY, JR.
ASTRID ALWYN	SIEGFRIED RUMANN
Produced by Winfield Sheehan	Directed by Frank Lloyd From the novel by Sigrid Boo Adaptation: Samson Raphaelson

FOX

RE-UNITING THOSE "STATE FAIR" SWEETHEARTS

Fight Weekly Payment Plan With Shorts

(*Continued from page* 1)

registered this complaint today, insisting that some action be taken to prevent this slant on the tying in of shorts with features.

A ballyhoo, anticipated, in behalf of the national organization was among other matters discussed here when the assembled theatremen were told of the necessity for a strong national association to work for their interests. Elimination of the music tax and an attack looking for the elimination, as well, of block booking were other pieces of business.

Walter Littlefield of Boston tipped off to the group that another effort to rout out this type of selling would be made when Congress convenes in the winter at which time, he said, a bill to that end will be introduced again.

Among those who spoke today were Aaron Saperstein, Illinois; Herman Blum, Pennsylvania; P. J. Wood, Ohio; Willis Vance, Cincinnati, and Tom Goldberg, Baltimore.

Re-elects Samuelson

Today, as expected, Sidney Samuelson was re-elected president of Allied of New Jersey and, in addition, was named business manager, effective Sept. 1, at a salary of $5,000 a year. Jerome Kridel, East Orange, was named a fourth vice-president and Louis Levin, Newark, assistant treasurer. W. C. Hunt, Wildwood, and R. Wilkins, Pittman, were reelected directors for a three-year period, while Frank P. Gravatt, Atlantic City, replaced P. Mortimer Lewis on the directorate. Previously declaring he would not run again for the first vice-presidency, Julius Charnow, Leonia, was raked over the coals by Samuelson for not advising of his declination before MOTION PICTURE DAILY had first published it. Charnow admitted the story was correct, but, after a secret and hurried conference, withdrew his original intention and kept his post. Other officers were returned to office.

One of the highlights of the day was a lengthy speech by Abram F. Myers, detail of which appears elsewhere in this edition.

Ben Golder, head of the I. E. P. A. of Philadelphia, discussed the importance of legislative campaigns, urging the various units to offer a united front.

David Barrist was added to the resolution committee, other members of which are Louis Levin, Lee Newbury and Jack Unger. Barrist, Julius Charnow and Ben Berkowitz also discussed the code.

Wires were read from Jack and George Fishman, George Erdmann, Frank L. Warren and W. C. Hunt. About 150 attended.

Product and resolutions will highlight tomorrow's session.

At a banquet at the Ritz tonight Edward Golden, Monogram sales head, pleaded for the independents' existence and asked that Allied refuse to join the M. P. T. O. A. agitation against duals. Myers praised the organization for building leadership within the ranks. Samuelson was presented with a medallion by William Casey, Atlantic City commissioner, in behalf of the mayor.

Philadelphia Peace Out

ATLANTIC CITY, Aug. 23.—Efforts to wave the olive branch over the M. P. T. O. of Eastern Pennsylvania and the I. E. P. A. of that city have died, according to David Barrist of the latter organization. He said today his unit is cooperating closely and working in harmony with national Allied, but that no discussions looking toward a formal affiliation have been held. He insisted the I. E. P. A. was "strictly independent."

Cardinal Dougherty, who ordered a boycott of all Philadelphia theatres, returns from Europe Tuesday. Catholic churches, in the meantime, are trying to check to what extent the Legion of Decency drive has hurt the box-office. Philadelphia exhibitors who are here declare cooler weather and the improved moral tone of pictures have resulted in returning business to its normal level. One independent leader said the drive hurt at the outset, but quieted down to the theatres' advantage subsequently.

Golder Advises Indie Units to Abandon Code

ATLANTIC CITY, Aug. 23. — Withdrawal of independent units from the code was urged today by Ben Golder, head of the I. E. P. A. of Philadelphia, at the Allied meeting here. He said he advised this because he regarded it impossible for them to benefit as the code is constituted.

Independents would be better off alone, he said, adding the units should urge any of their members sitting on code boards to resign.

Touch on Singles

Atlantic City, Aug. 23.—A return to singles in New Jersey was discussed briefly at the Allied convention here today. It was recognized, however, that signatures are necessary from Loew's, RKO, Walter Reade and Springer and Cocalis before any plan can be adopted.

If this develops, the method is to make singles mandatory 14 days after the final signature is obtained.

Reade and Springer and Cocalis appear to some here as stumbling blocks.

Lou Halper in Town

Lou Halper, Southern California division manager for Warner Theatres, arrived in New York from Hollywood by plane yesterday. The trip concerns film buys for the new season.

Lloyd Excites New Haven

NEW HAVEN, Aug. 23.—Harold Lloyd made a visit here today to see Gene Rodney, manager of Poli's. Greeted at the train by hundreds, Lloyd was taken to the Hotel Taft for a reception at which Mayor John W. Murphy was present.

Increases Capital Stock

DOVER, DEL., Aug. 23.—Technicolor, Inc., of New York, a Delaware corporation, increased its capital from $800,000 to $1,000,000 with the Secretary of State here yesterday.

Six District Appeal Boards Is Saperstein Code Idea

ATLANTIC CITY, Aug. 23.—Setting up of six district appeal boards to hear and dispose of appeals from exhibitors in territories covered by the special boards is advocated by Aaron Saperstein, head of the Allied Chicago exhibitor unit.

Only in the event an exceptional case comes up for final decision should Campi be concerned with it, he says. Appeal committees are wasting too much time listening to cases that mean very little and clog up the calendar, he states. When an important appeal comes along the other cases crowd it back to the calendar so that it takes weeks and sometimes months before a decision is rendered.

Saperstein's plan would provide for appointment of special boards to be represented by exhibitors and distributors from surrounding territories. Since he comes from Chicago, Saperstein suggests taking one man from each of the following cities to make up the district board: Chicago, Iowa, Milwaukee, Minneapolis, St. Louis and Indianapolis.

Districts should be set up in the west, north, south, east, middle west and probably New England and each board should sit once a week, he suggests. Decisions should be final, but where there is a difference of opinion and the vote is divided, Campi should be the final judge, Saperstein maintains.

As instances pointing out alleged defects of the present plan, Saperstein says one overbuying case was heard and appealed in June, that it is now the end of August and no final decision has been made. He holds that by the time Code Authority gets around to the case the decision won't mean anything.

Overbuying cases should be treated as emergency cases and should have preference over all others, he argues.

Another case where he says delay by Campi is said to be working to the disadvantage of exhibitors is the Chicago ruling that "Screeno" is a form of lotto and cannot be continued. The promoter asked for an appeal some time ago and as yet nothing has been decided. Meanwhile, the exhibitor is continuing to violate the code, according to Saperstein, and other exhibitors are afraid to adopt the same game for fear they will be penalized.

"Screeno" is hurting the business of many exhibitors and yet Campi hasn't done anything about it, he says. Cases of this type also should be categoried as emergencies and disposed of in quick order, it is his belief.

If district committees had these appeals, they would have been disposed of in one week, Saperstein claims, adding the men sitting on the boards would know their territories and hand down prompt decisions according to individual situations.

Urges 'Rise In Arms' to Meet 'Enemy'

ATLANTIC CITY, Aug. 23.—Addressing the Allied States meeting here today, Abram F. Myers, general counsel of the organization, called upon the nation's exhibitors to rise up in arms against their enemies. "Action must be taken if the independent exhibitors are to survice in this business," he declared, adding they must "roar like lions."

"In the matter of the intolerable burdens fastened upon them by the NRA and the combinations of producers, theatrical chains and copyright owners under color of the laws of the United States—which are by far the most serious blows suffered during the past year because the most enduring—the exhibitors can and must strike lusty blows for their liberation and the preservation of their rights," Myers said.

Myers declared that many of the present problems of the industry were the result of its failure to heed the advice of the country's exhibitors.

Myers charged the producers with "unfair and discriminatory preferences" from the politicians. "Certain it is," he said, "that the Roosevelt and Hoover administrations have vied with one another in granting favors to Will Hays and his associates." The M. P. P. D. A. was referred to as "the great Hays juggernaut crushing all who get in its way."

Asserting the code was imposed upon the independent exhibitors, Myers stated they "must never again allow themselves to be ravished in this fashion." He called upon exhibitors to place themselves on good terms with all groups fighting for the abolition of objectionable pictures.

Assistants Name Slate

HOLLYWOOD, Aug. 23.—The Academy assistant directors' nominating committee chose the following candidates last night for the executive committee position, to be voted upon by the section membership in the coming Academy elections:

Al Alborn, Edgar Anderson, Scott Beal, Sid Bowen, Sid Brod, Doran Cox, Robert Fellows, Horace Hough, Percy Ikerd, Charles Kerr, Joseph McDonough, Jay C. Marchant, William J. Reiter, Arthur Rose, Lester Selander, Frank Shaw, Charles Stallings, Eric Stacy and Cullen Tate.

Cooper Coast-Bound

HOLLYWOOD, Aug. 23.—Merian C. Cooper, accompanied by Mrs. Cooper, the former Dorothy Jordan, is enroute from New York, where he disembarked from the *Roma* after spending two months in Italy on research for "The Last Days of Pompeii." Cooper will make two features per year and plans to use the new three-component Technicolor process.

To Wed at Pickfair

HOLLYWOOD, Aug. 23.—Joseph M. Schenck plans to leave here shortly for England, to return with Merle Oberon, his fiancee. Their wedding is scheduled to take place at Pickfair, home of Douglas Fairbanks and Mary Pickford, in about seven weeks.

"★★★½★"

from Liberty Magazine

Meaning: **LIBERTY'S 8,775,012 READERS WILL DEMAND TO SEE IT ON YOUR SCREEN**

Again indicating its tremendous popular appeal . . . so convincingly demonstrated at Radio City Music Hall.

THE WORLD MOVES ON

THE LOVE STORY OF A CENTURY

with

MADELEINE CARROLL
FRANCHOT TONE

Produced by
Winfield Sheehan
Directed by John Ford
Story and screen play
by Reginald Berkeley

FOX

"Last Ditch" Duals Fight Is Promised

(Continued from page 1)

a protest of Los Angeles independent exhibitors against the 30-day postponement of the hearing on the schedule as drawn. "If Campi rejects the demanded provisions, we will take the fight directly to the President, because relief is imperative in view of the situation involving circuits and independents," he said.

Commenting on Campi's resolution invalidating duals penalties in the recent Milwaukee board case, Berinstein said he anticipated Campi will reverse itself. "If Campi is playing politics, we want to find out about it. Duals elimination was agreed to by all but 22 theatres in the Los Angeles territory, independents preponderantly favoring the ban, while the circuits are holding out," he added. "California exhibitors have been threatened by women's clubs with single feature legislation unless duals are eliminated because of their effect on children."

At the forthcoming Campi hearing, Berinstein's group will also insist upon clearance penalties for films shown with vaudeville. His trip is for the purpose of getting earlier consideration of the Los Angeles zoning plan, an imperative step to clarify before selling starts in Berinstein's opinion.

In the absence of any earlier decision, he voiced the fear in the minds of independents that distributors will declare no zoning and sell on their own terms, which Berinstein charged the latter seek. He proposes, therefore, asking Campi to move up the hearing to Sept. 2 or 4, when a five-man delegation from Southern California will attend. The hearing is now on Campi's calendar for Sept. 19. If the original date stands, Berinstein holds no decision is possible before mid-October, too late to apply to this next season.

Ben Berinstein left Kansas City at 2.25 A. M. yesterday morning and arrived at the Newark Airport at noon.

ITOA to Seek Troops Unless Pickets Ease

(Continued from page 1)

them on the picketing situation they would ask Governor Lehman to send troops into the city. It is also claimed that although their pickets are limited in number, or barred altogether, pickets of Local 306, Operators' Union, are allowed to stage "snake dances" in front of theatres.

Justice Samuel Roseman of the Supreme Court yesterday granted a temporary injunction to I. T. O. A. limiting the number of Local 306 pickets to two apiece for the Ritz, Star and Art Theatres, the Bronx.

Weisman, Quinn, Allan and Spett, I. T. O. A. counsel, also obtained an injunction restricting picketing at the Rugby, Brooklyn, to not more than eight pickets.

Nip Fox Kidnap Plot

A reported attempt to kidnap William Fox's children, Mona and Belle, was brought to light yesterday with the arrest by the police at Hewlett, L. I., of a man alleged to have demanded $50,000. The suspect's identity has not been established yet. Department of Justice operatives are working on the case.

Ask $721,204 for 14 Mos. Fees in Paramount Case

(Continued from page 1)

E. Richardson, ask $100,000 each for their services from April 19, 1933, the date on which Paramount was adjudicated a bankrupt after slightly less than four months of equity receivership, to June 16 of this year, the date on which Paramount became a debtor corporation for reorganization under the new bankruptcy laws.

Root, Clark, Buckner & Ballantine, counsel for the trustees, ask $350,000 for their services during the period and $3,771 for expenses. The balance of $67,433 is made up of individual petitions filed by special counsel and by accounting firms employed to probe the Paramount stock repurchase agreements by which the company acquired numerous theatre circuits from 1929 to 1932.

The investigation subsequently led to the filing of a suit by the trustees to recover from officers and directors of Paramount approximately $13,600,000, the amount found to have been disbursed in repurchase of the stock issued at guaranteed redemption prices.

The special counsel and the fees asked by each are: Rosenberg, Goldmark & Colin, Paramount New York counsel, $7,500; Cravath, de Gersdorff, Swaine & Wood, $1,008; Sonnenschein, Berkson, Lautmann, Levinson & Morse, Chicago, $5,000; Pillsbury, Madison & Sutro, San Francisco, $7,800, and Rosen, Kammer, Wolff & Farrar, New Orleans, $848.

List a Lengthy One

Special accountants employed on the stock repurchase investigation to determine the liability of Paramount officers in the transactions, and the amount asked by each are: Price, Waterhouse, $15,228; Barrow, Wade, Guthrie & Co., $22,578; Arthur W. Teele, $1,893; Frederick H. Hurdman, $1,100.

In addition, Arthur Anderson & Co., accountants, asks $4,178 for services in connection with a study of a claim filed against Paramount by Allied Owners Corp., and three Los Angeles accountants ask $300 for a study of the stock and realty value of the South Broadway Bldg., Los Angeles. The study resulted in a finding that the building was unprofitable and unnecessary to Paramount's business.

Paramount's cash position improved by $9,000,000 during the bankruptcy period, the petitioners state.

Allowances asked by equity receivers and counsel for services during the three and one-half months of receivership which preceded the Paramount bankruptcy amounted to $296,000. The fees were reduced to $105,000 aggregate by the U. S. District court here recently.

Joyce will set a date for a creditors' hearing on the petitions today.

Unusual

Pathe News scored a scoop when it was singled out from among all newsreels by the Canadian Government to film the story of the Dionne quintuplets.

Packed with human interest is the intimate record the newsreel has made of the daily routine in the care of the infants—a record that is a tribute to medical science. This clip probably will be of genuine interest, to women in particular.

The Dionne scenes run eight minutes, consuming all but two minutes of Pathe Newsreel No. 9.

Para. Net $5,029,252 For '33, Report Shows

Paramount Publix and subsidiaries showed a net profit of $5,029,252 for the 12 months of 1933 and a net profit of $2,601,856 for the first quarter of 1934, an official earnings report filed yesterday with Special Master John E. Joyce discloses.

The 1933 profit compares with a loss of $9,730,234 in 1932, before charges for depreciation and amortization. After deduction of those charges net loss for 1932 was $19,945,569.

Profit for last year, before deductions for depreciation and amortization, was $8,728,212, and for the first quarter of this year was $3,465,928. The report states that while figures for the second quarter of the current year are not yet available, the company's operations have been profitable.

Included in the comparative statements are charges for film exhaustion or write-offs in 1932 of $36,994,000; in 1933 of $26,460,000, and for the first quarter of this year, $7,718,000. The 1933 statement and that for the first quarter of 1934, the period of bankruptcy, do not include bond interest charges, which amounted to approximately $1,850,000 in 1932.

Cash on hand on June 16 of this year, the date on which the company's bankruptcy ended and Paramount became a debtor corporation under the new bankruptcy laws, amounted to $15,644,000, compared with cash on hand of $6,561,000, on April 22, 1933, the date on which Paramount was adjudicated a bankrupt.

Receipts during the same 14 months period were $84,859,000, and disbursements $78,271,000. The receipts of picture subsidiaries were $49,227,000; of other subsidiaries, $31,305,000, and of the trustees, $4,327,000. Disbursements of Paramount Pictures Corp. amounted to $46,786,000; of other subsidiaries, $29,971,000, and of the trustees, $1,514,000.

Banks Move in Court Today to Block Suit

Defendant banks in the suit brought by Paramount Publix trustees to set aside the $13,200,000 credit transaction of 1932 between Film Production Corp., a Paramount subsidiary, and the banks, will move today to prevent examination of their officers in advance of trial of the action, it was learned yesterday.

Paramount trustees have subpoenaed officers of National City Bank, Bankers Trust Co. and Chemical Bank & Trust Co. to appear for examination today before Special Master John E. Joyce. The banks plan to intervene with an action which, if successful, would prevent the examination on the grounds of lack of jurisdiction, it is understood.

U. A. Included in Cancellation: Campi

(Continued from page 1)

ruled unanimously H. R. Evans, operator of the Albion, was in the right.

U. A. has maintained it would file a test case in the event Campi officially ruled it must abide by the clause.

Because of the length of its session which started in the morning and ran until after seven o'clock last night, Campi made public only a resolution on overbuying.

Ostrer Due in Today To Decide G. B. Plan

(Continued from page 1)

America and for exhibition outlets will be settled during the visit here of Mark Ostrer, G-B financial authority, who arrives from London today on the *Aquitania*.

Indications are that G-B will organize a national sales force here, with physical distribution being handled by an American distributor. Also pending is a deal whereby the Roxy may take 16 G-B features, establishing itself as a Broadway show-window for that product.

New Abe Lichtman Firm

DOVER, DEL., Aug. 23.—Lichtman Theatres, Inc., was chartered here today to manage and operate theatres, listing capital stock of 100 shares, no par value. Incorporators are A. E. Lichtman, E. J. Haley and W. E. Cumberland, of Washington, D. C. Capital Trust Co. of Delaware is the agent.

Abe Lichtman is the Washington, D. C., operator whose 10-house circuit is scattered throughout the city. All of the theatres cater to colored patronage excepting two.

Local Case Postponed

Complaint charging premature advertising, filed by Loew's Melba against the Paris Court, has been reserved until the local clearance and code board meets again on Aug. 30.

Complaint on throwaway tickets, filed by the Roxy against the Globe, will be disposed of at that time. The board is awaiting a letter from Division Administrator Sol A. Rosenblatt, who said in Washington on Wednesday he had never authorized Harry Brandt of the Globe to use them.

Brown Signs New Deal

KANSAS CITY, Aug. 23.—Clarence Brown told MOTION PICTURE DAILY today he has just signed a new three-year contract with M-G-M. The director is heading for a three months' European trip, seeking stories and personalities.

Clarence Brown, aboard the same plane as Ben Berinstein, reached New York from Hollywood yesterday noon.

Otterson Is Back

John E. Otterson returned from Europe on the *Washington* and makes his first appearance in his office at Erpi this morning.

"GREAT PROPERTIES MAKE GREAT PICTURES"

The outstanding best-seller of recent years . . . a novel—powerful, human, deeply moving... striking the understanding heart of woman.

STARRING

ANN HARDING

WITH

BRIAN AHERNE
PAUL LUKAS
JEAN HERSHOLT
DIRECTED BY JOHN CROMWELL
A PANDRO S. BERMAN PRODUCTION

A GREAT PROPERTY THAT HAS BECOME A GREAT PICTURE. WITH IT RKO-RADIO PROUDLY OPENS ITS NEW SEASON!

HOW THEY BROKE RECORDS IN BALTIMORE AND BOSTON WITH M-G-M's "TREASURE ISLAND"

BALTIMORE

STREET FLOAT
Replica pirate ship on float in advance and during run. Pirate gave away pamphlet "Jackie Cooper's Adventures on Treasure Island."

TREASURE HUNT
Baltimore News Post and City Officials cooperated. Stories and pictures daily. 200 treasures buried in Druid Hill Park night before hunt. 10,000 men, women and children took part. Police unable to cope with crowd. Long John Silver and Century Theatre Band started ceremonies. News Post photographer covered the event. 5000 pirate hats, 1000 Gold candy coins distributed.

SPECIAL SCREENING
Maryland Tercentary Celebration permitted special screening for critics, celebrities, officials aboard yacht.

PIRATE SHIP
Converted old two masted schooner, with banner advertising picture. Took part in Maryland Regatta attended by 100,000 persons. Only commercial ship in pageant procession.

ARROWS
500 special arrows sniped on poles around town.

DRUG STORES
Reade Drug Store Chain used chests with coins, stills, relics, etc., for window displays. Contest to guess number of coins. Herald distributed by stores.

RADIO
"Treasure Island" record broadcast, also radio dramatization.

POSTERS
75 24-sheets; 100 6-sheets; 200 3-sheets; 200 window cards sniped everywhere. City literally plastered!

ORPHANS' PARTY
Tie-up with theatre and orphanage.

CATHOLIC REVIEW
Leading Catholic paper gave picture splendid send-off.

HAYS' OFFICE
Sent out letters to leading educators, clergymen, etc.

JUNIOR BIRDMEN
Tie-up with Junior Birdmen column. Photos of Jackie, who is a member, with miniature planes, etc.

BALLOON BALLYHOO
Huge captive balloon over theatre, with a streamer banner.

STREET BANNER
Big flash strung from theatre across street.

MAY COMPANY BOOK TIE-UP
Department store display, stills, photoplay edition, etc.

CLASSIFIED ADS
Under title AD-VENTURE contestants sent in their experiences as want-ad users. Got 1080 lines and cost a few passes.

BABY RUTH CANDY
Curtis Candy Co. of Chicago furnished window cards with Jackie Cooper tie-up. Got prominent store windows.

MAGAZINE TIE-UPS
"Screen Romances" carried story of picture. Placed cards on news-stands, "Read the story, see the picture."

PRATT LIBRARY
First time ever permitted a tie-up. Placed large oil painting in window with copy.

COUNTRY PAPERS
Planted stories, art, etc., in 16 country papers.

FUR FASHION SHOW
To attract women, tie-up with Furriers' Association of Baltimore. $500,000 Fur Fashion Show on stage, modeled by society debs. Promotional ads placed by furriers.

COOPERATIVE ADS
Direct store tie-ups in ads. Also in Station WFBR display ad announcing broadcasting of "Treasure Island."

LOBBY DISPLAY
Special inner lobby display 1 week in advance.

BOSTON

EDITORIALS
Four leading newspapers ran editorials favorable to picture. First time in Boston history. Backed by united support of Boy Scouts, National Council of Teachers, etc.

CRIPPLED CHILDREN
2000 crippled children at special performance. Pirate hats distributed.

WHITTLING CONTEST
Boston Traveler sponsored a Whittling Contest. Special 2-Column photo of Jackie Cooper with Remington Arms Scout Knife, appeared daily. 10,000 booklets "How to Whittle" given away. Special prizes for best boats carved. Thousands of entries.

RACE-TRACK
Special "Treasure Island" Handicap run at Narragansett Park. Cup presented. Excellent publicity.

TREASURE HUNT
Boston American and Advertiser sponsored tremendous treasure hunt at Paragon Park.

ORPHANS' PERFORMANCE
12,000 orphans, guests of I. J. Fox, at special performance. Candy and pirate hats distributed.

WINDOW DISPLAYS
Coca-Cola has special cut-outs of Beery and Cooper. Grossett & Dunlap photoplay editions. Baby Ruth Candy. Planters' Peanuts. Old Gold Cigarettes. Butler Bros. Jackie Cooper sweat shirt. Beech-Nut chewing gum. Rockwood Candy. Whitman Candy.

RADIO STUNTS
Thousands of boys enrolled in Radio Pirate Club. Contest for best name for parrot in picture. Also tie-up with Skipper Jim hour representing 160 First National stores.

OTHER STUNTS
Jackie Cooper doubles contest. Birthday Club cards. Proctor & Gamble, White House tie-up on Jackie Cooper Treasure Island Gold and Silver Cake. Classified ad questionnaire.

SERIAL STORY
Ran daily in Boston Globe.

TABLOID STUNT
Daily Record published special front page layout for "Treasure Island."

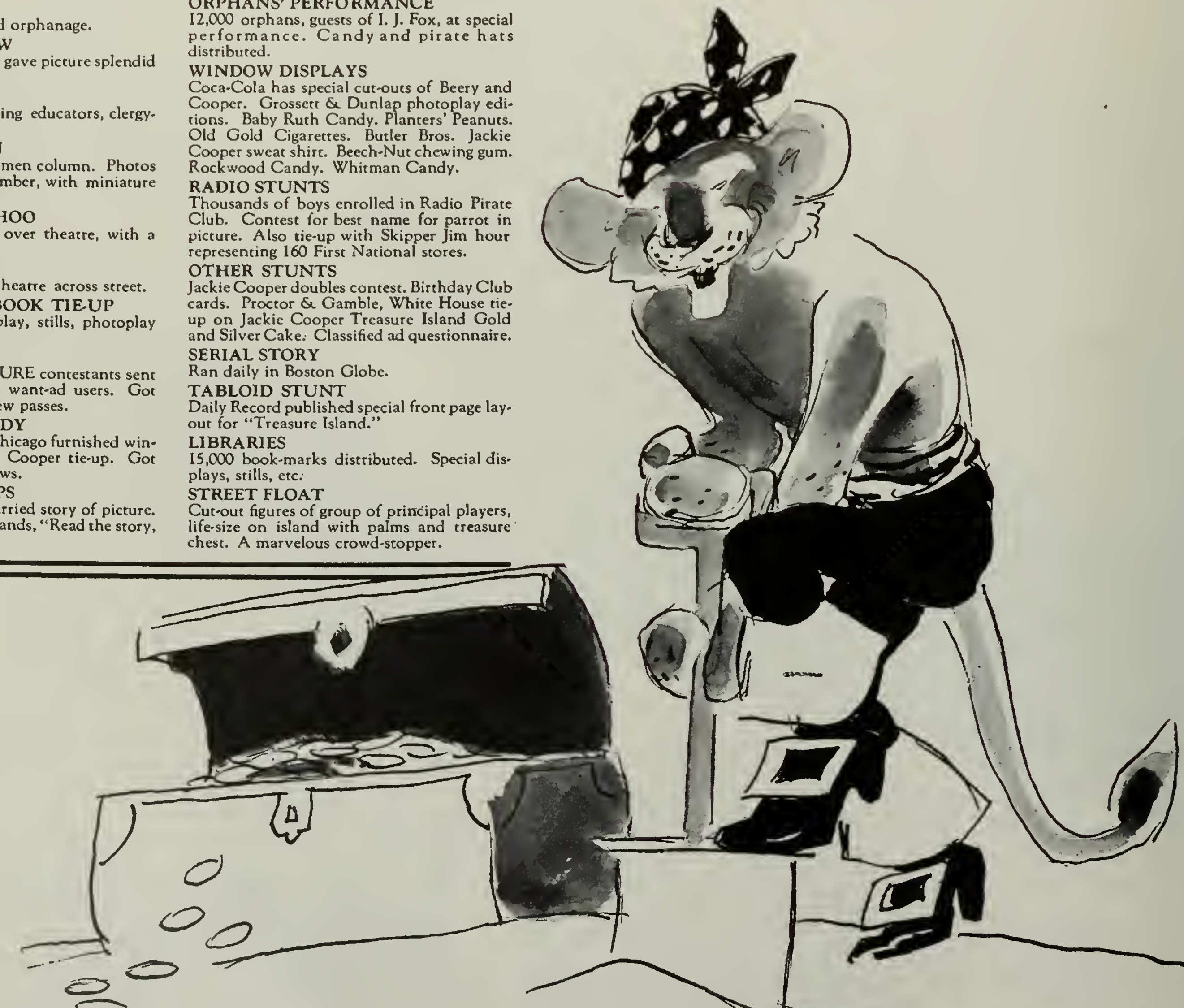
LIBRARIES
15,000 book-marks distributed. Special displays, stills, etc.

STREET FLOAT
Cut-out figures of group of principal players, life-size on island with palms and treasure chest. A marvelous crowd-stopper.

HE GOT THE TREASURE!

So can you!

(It's all in the Big Campaign Book. Get a copy today and plan your GOLDEN ENGAGEMENT!)



Extra! "Treasure Island" is a smash success from Coast to Coast! Congratulations to the showmen who are making exploitation history!

The Leading Daily Newspaper of the Motion Picture Industry

MOTION PICTURE DAILY

Alert, Intelligent and Faithful Service to the Industry in All Branches

VOL. 36. NO. 47 NEW YORK, SATURDAY, AUGUST 25, 1934 TEN CENTS

U. A. to Sue; Acts Soon On Cancellations

Maintains Code Clause Does Not Apply

United Artists will go through with its original plan to contest Code Authority's ruling that it is subject to the cancellation clause by filing a test suit in U. S. District Court here early next week, Edward Raftery, U. A. counsel, said yesterday, verifying Motion Picture Daily's exclusive story. The test case against Campi may be filed as early as Monday, Raftery said.

Campi's decision points out that the cancellation provisions of the code are

(*Continued on page* 3)

Philadelphia Row on Lease Goes to Campi

Philadelphia, Aug. 24.—The grievance board today refused the dismissal plea of William Goldman, defendant, in the case of the Band Box and certified the case to Campi. William Wolf filed against Goldman, former zone manager for Warners and now developing a circuit of his own, and the Integrity Trust Co. on a charge of illegally negotiating for the lease.

The Band Box is one of the houses which was expected to be part and parcel of Goldman's proposed circuit.

Better Films, Less Heat Aid Cincinnati

Cincinnati, Aug. 24. — Surcease from the oppressive heat, coupled with good product and outstanding name

(*Continued on page* 4)

Report Agfa Behind Adventure Pictures

Hollywood, Aug. 24.—The Agfa Ansco Co. is reported here as investing $2,000,000 in the production of

(*Continued on page* 4)

Tie-in with Boyd?

Philadelphia, Aug. 24.—William Goldman is reported now interested with Al Boyd in the Locust which the latter controls. The house is slated to reopen late next month with "Caravan," one of the reputedly big attractions on the Fox schedule.

Current Zoning May Stay To Avoid Sales Stalemate

Campi Committee Will Probe Idea—Appeals Deluge New Setups

Flooded with clearance and zoning appeals from virtually every major key city and with little likelihood of disposing of all without seriously retarding the new selling season, Campi has designated a committee to investigate the advisability of abandoning attempts to draft new clearance and zoning schedules, and, instead, reconvening the local boards to resume the hearing of protests against existing schedules.

Campi has called a special session for next Thursday—the next regular meeting would have taken place a week later—to receive the report of its clearance and zoning investigating committee and will make a final ruling then on the procedure to be taken henceforth. The investigating committee consists of George J. Schaefer, Paramount; Charles L. O'Reilly, T.O.C.C.; R. H. Cochrane, Universal; Nathan Yamins, Allied States, and Harold S. Bareford, Warners.

In the meantime, all scheduled

(*Continued on page* 3)

Congressional Code Probe Asked at Allied Meeting

By WILLIAM ORNSTEIN

Atlantic City, Aug. 24.—Climaxing its three-day eastern convention here, Allied States today passed a resolution seeking a congressional investigation of the code.

The resolution demanded that Congress look into "all phases of negotiation, drafting and administration" of the code and that, in its enactment of legislation extending the NRA, it "provide for negotiation of a new and fair code for the film industry with the aid and assistance of fair and unbiased representatives of the government." The Allied units pledged themselves "to work unceasingly" to this end and called upon "independent exhibitors everywhere" to join them in the fight for a congressional investigation.

Sidney Samuelson, Allied head,

(*Continued on page* 3)

Final Assents 8,720

Code assents reached a grand total of 8,720 during the reopened period for filing assents, which terminated Aug. 15. During the period 367 new exhibitor assents were received for a new total of 8,525. Distributor assents now total 123 and producers, 72.

Banks Score Point; Stall Examination

Examination of officers of Paramount creditor banks before trial of a suit brought to set aside the $13,000,000 credit transaction of 1932 between 12 banks and Film Production Corp., was forestalled yesterday when the banks intervened with a U. S. District Court motion to test the legality of the subpoenas with which the officers were served and the validity of the examination itself.

The banks' test motion will be heard

(*Continued on page* 4)

K. of C. Pans Films; Lifts Ban on Liquor

Detroit, Aug. 24.—Every member of the Knights of Columbus was urged to enroll in the Legion of Decency in a resolution passed by the organization, which just terminated its convention.

The industry was rapped severely and films that "portray lewd and lascivious conduct" panned heartily.

On the other hand, the K. of C. lifted its ban on the use of liquor.

Independents In Southeast Lambaste Code

Atlanta, Aug. 24.—A plea for the existence of the small exhibitor is made by the GFTA Independent Theatres' Association in a "Declaration of Independents" in which the code is denounced as favoring the large interests.

Copies of the document have been forwarded to President Roosevelt, General Hugh S. Johnson, Division Administrator Sol A. Rosenblatt, Will H. Hays, John C. Flinn, heads of pro-

(*Continued on page* 3)

Rowland Brown Seen In M-G-M's U. K. Unit

By BRUCE ALLAN

London, Aug. 24.—Rowland Brown may be identified with M-G-M's British production unit. The director flies to Carlsbad Saturday to see Louis B. Mayer presumably in this connection.

Brown, who came over to direct "The Scarlet Pimpernel" for London Films, has relinquished the assignment

(*Continued on page* 4)

Ohio Tax Setback; Extra Session Off

Columbus, O., Aug. 24.—Despite the recent statement of Governor White that his chief recommendation to the special session of the legislature in September would be the enactment of a general sales tax, the session will not be called. His action is predicated on the assumption that politics would largely govern the action of several advocates of the measure who were defeated in the recent primaries.

The measure, which has been voted

(*Continued on page* 3)

K. C. Prices Up

Kansas City, Aug. 24.—Bargain prices came to an end at local first runs today, when the Midland and Newman hiked their tariff from 25 cents to 40 cents at night. The Mainstreet and Uptown inaugurate increases in a week, while the Tower plans a similar change around Sept. 1.

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Virginia Loomis Passes

Virginia Loomis, 18, older of the dancing Loomis Sisters, died yesterday at the Roosevelt Hospital of amoebic dysentery following an appendicitis operation. She and her sister, Maxine, who is seriously ill at the same hospital, were to leave for the coast on Sept. 21, under contract to Fox. Last night her mother, Mrs. Betty Loomis, left with the body for Kansas City, the girl's birthplace, where interment will take place.

Otterson Notes Pickup

Vastly improved business conditions in England and on the Continent were observed by John E. Otterson, Erpi president, who returned to his desk yesterday following a visit of more than a month abroad.

Deal Includes Jersey

The Fox product deal with the Warner circuit embraces the latter's string in Northern Jersey as well as elsewhere except New York City where Warner houses play their own product.

Hartford Cameo Reopens

Hartford, Aug. 24. — Dark for about two months, the Cameo has reopened with a dual bill and five vaudeville acts. The theatre will charge 20 and 30 cents for the entire program.

Legal Hurdles Block Portland House Deal

Portland, Aug. 24.—Legal technicalities are delaying John Hamrick's offer to take over the lease of the Pantages, but the offer has been submitted to Federal court for approval.

It appears Alexander Pantages was foreclosed out of the property by holders of a second mortgage and that, he, therefore, no longer has anything to say about its disposal. First mortgage bonds aggregate $425,000 against the second mortgage placed on the property by the RKO Western Corp., bankrupt company which at one time operated the theatre.

Reid, Lee Appointed

Al Reid, formerly a district manager for RKO, has been appointed supervisor of the Fox, Brooklyn, and the Paramount, Brooklyn. Si Fabian operates the former on his own and holds Paramount Publix's interest in the latter.

"Dr." Joe Lee has been named managing director of the Paramount.

Ostrer in on G-B Deals

Mark Ostrer, one of Gaumont British's financial backers, arrived yesterday on the *Aquitania*, which was delayed in arrival because of fog. During his stay here, Ostrer is expected to make the final decisions on G-B's plans for distribution and exhibition activities in this country.

Dinner for Brown

Chicago, Aug. 24.—George Brown, business agent of the local operators' union and president of the I.A.T.S.E., will be tendered a banquet at the Stevens in Chicago, Monday. The entire Windy City industry is cooperating in putting over the event.

110,383 at "Cleo" in Week

"Cleopatra," which went into a second week yesterday at the Paramount, played to an audience of 110,383 in its first week at the house, it is reported by Paramount.

Guilds in Joint Meeting

Hollywood, Aug. 24.—Points to be taken up by the five-five committees were discussed last night at a joint meeting of the actors' and writers' screen guilds.

Here's a Short

"What, No Men?" (Vitaphone) is a fast-moving, spectacular short subject that should panic audiences with its beauty and entertainment value. It is done in the new three-component Technicolor process. Most of the scenes are shot outdoors. The camera of Ray Renahan catches the beauties of nature in all their fullness and the color schemes of the costumes in all their brilliance. This two-reeler will take the play away from many a feature length film.

The locale of the story is the old west, with only women left in charge. Into this setting fall El Brendel and Phil Regan to meet Wini Shaw, cast as a hard-boiled character. Miss Shaw photographs strikingly and her vocal rendition of Sammy Fain and Irving Kahal's "It Was a Dark and Stormy Night" is entertainment plus.

Ralph Staub's direction is flawless and Bobby Connolly's dance routines are far above the average. Running time, 22 mins.

Approve Mascot Film

Hollywood, Aug. 24. — Mascot's "Young and Beautiful" has been approved by the Production Code Administration, receiving Seal No. 181.

The Mascot picture has its world premiere at the Steel Pier, Atlantic City, tomorrow. Al Sherman left for the shore yesterday to aid Eli Orowitz in the exploitation.

RKO-Mayfair Deal Off

Negotiations with Walter Reade on a deal by which RKO was to resume operation of the Mayfair have been definitely abandoned. The 7th Ave. house will continue under Reade's operation.

Screening "Limberlost"

Monogram will screen "A Girl of the Limberlost" at the Criterion Tuesday morning for metropolitan area exhibitors.

Eastman Up ¾ on Big Board

	High	Low	Close	Net Change	Sales
Columbia Pictures, vtc	30¾	30¼	30¾	¼	200
Consolidated Film Industries	2⅞	2⅞	2⅞	— ⅛	100
Consolidated Film Industries, pfd	14⅛	14⅛	14⅛	— ⅛	100
Eastman Kodak	100¾	100	100¾	+ ¾	100
Fox Film "A"	12⅜	12	12⅜	+ ¼	100
Loew's. Inc.	29	28½	28⅞	+ ¼	1.200
Paramount Publix. cts	4	4	4	+ ⅛	2.000
Pathe Exchange	1⅜	1¼	1¼	.....	6.800
Pathe Exchange "A"	16⅛	15½	16⅛	+ ⅛	700
RKO	2⅝	2½	2⅝	+ ⅛	600
Warner Bros.	4⅝	4½	4⅝	.....	1.400

Technicolor Down ¼ on Curb

	High	Low	Close	Net Change	Sales
Technicolor	13¼	13	13	— ¼	500

Para. F. L. Bonds Gain ¾

	High	Low	Close	Net Change	Sales
General Theatre Equipment 6s '40	7¼	7	7	— ¼	7
Loew's 6s '41. ww deb rights	101¾	101¼	101¾	+ ½	3
Paramount Broadway 5½s '51	39¼	39¼	39¼	— ⅜	1
Paramount F. L. 6s '47	48¾	48¾	48¾	+ ¾	2
Paramount Publix 5½s '50	48	48	48	— ½	7
Warner Bros. 6s '39. wd	56¼	56	56¼	+ ½	10

Purely Personal

Roger W. Fowler, former member of the Van Beuren production department, who operates a portrait studio on the coast, is here to negotiate contracts with fan magazines for a new method of his of making cover paintings of stars.

Carlos Gardel, Argentine player, who has been working in Spanish films for Paramount, sails today aboard the *Bremen* for a short vacation in Europe. Vicente Padula, who has also appeared in Paramount's Spanish films, will accompany him.

R. C. Sherriff, his adaptation of "Within This Present" completed for Universal, is coming east to embark for England. He will sail from Quebec on the *Empress of Britain.*

Cameron Rogers, vice-president of the Grace Lines, has been engaged by Darryl Zanuck for research on "Cardinal Richelieu," George Arliss' next. He's an expert on the subject.

W. Ray Johnston will spend a week in Waterloo, Ia., the home town, and visit Monogram exchanges along the route before returning here about Sept. 10.

W. P. Lipscombe and R. J. Minney, authors of "Clive of India," leave for the coast today to do the screen adaptation of their play for 20th Century.

Margaret S. White, Monogram secretary, left last night on a vacation trip to Montreal and the World Fair at Chicago.

Stuart Erwin is on his way east and will arrive in New York today. He will spend about two weeks here before returning to M-G-M.

Roland Young has departed for the coast for a role in Paramount's "Here Is My Heart."

Georgie Price and Sylvia Froos have started work in a Vitaphone short in Brooklyn.

Stuart Webb is back on the job. The first half of this week found him ill at home.

Al Adams, of U. A.'s exploitation department, leaves today for a two-week vacation at Lake Placid.

Val Lewton has signed a contract as scenario writer for M-G-M and leaves for the coast today.

Lee Goldberg, of Big Feature Rights Corp. and Majestic franchise holder in Kentucky, is in New York.

Nat Saland is waiting for them to sign that contract.

Ed Kuykendall leaves for New Orleans today.

Marc Connelly arrives Tuesday on the *Santa Lucia* from the coast.

New Cal. ITO Slate As Revamping Starts

Los Angeles, Aug. 24.—The I. T. O. of Southern California began its reorganization with the election of a new slate of officers at a meeting today. H. W. Chotiner was named president; C. A. Ferry, vice-president; Jules Wolf, secretary; Irving Callin, treasurer. The following were named to the directorate: Lou Bard, Jack Berman, Al Bowman, Rowland Levinson, Harry Popkin.

U. A. to Sue; Acts Soon On Cancellations

(*Continued from page* 1)

intended to be "remedial in nature," providing exhibitors with some leeway in program arrangements to conform to local audiences and conditions. "The language used in the code," Campi's opinion states, "should therefore be construed in the light of industry conditions and in a manner that will accomplish the desired result."

The Campi finding holds that U. A.'s individual contracts are the same except for their designation of film cost and the manner of playing. It cites a clause contained in each U. A. contract giving the distributor the right to cancel all contracts in the event of a breach of any one as creating a situation in respect to U. A. which "does not differ from the usual practice in the industry of executing a single contract for all pictures with varying rentals and playing arrangements for each individual picture."

"Surely," the opinion recites, "insofar as the rights of the distributor and the obligations of the exhibitor are concerned, the difference is only in form."

Campi's decision affirms the finding of the Indianapolis grievance board in the case which was brought against U. A. by H. R. Evans of the Albion, Albion, Ind., and appealed to Campi.

Current Zoning May Stay to Aid Sales

(*Continued from page* 1)

hearings of appeals on clearance and zoning rulings which have been certified to Code Authority by local boards have been called off. In all, 23 hearings running as far in advance as Oct. 29, are affected by the order. Cincinnati, Columbus and Dayton appeals had been scheduled for hearing here Tuesday; Cleveland on Wednesday and Detroit on Thursday. Findings in the New Haven, Hartford and Bridgeport appeals, already heard, will be held in abeyance pending the decision on future procedure.

Campi is officially reported to have viewed the present clearance and zoning situation as "impossible" in view of the large number of complaints against new schedules and the time and expense involved in hearing them. In the unsettled situation which would result, distributors would not be at liberty to sell pictures, and many exhibitors eventually would be without product.

Ed Kuykendall, president of the M.P.T.O.A. and a member of Campi, despatched wires to all exhibitor organizations yesterday, querying them on their willingness to abandon the drafting of new schedules in favor of individual protests by exhibitors against existing clearance. He points out that selling could proceed immediately on this basis with the reconvened local clearance and zoning boards empowered to make decisions even after contracts are signed. The decisions would be subject to appeal to Campi.

With Allied at the Shore

Atlantic City, Aug. 24.—Sidney Samuelson is all smiles and has great hopes that the 15th annual session of the New Jersey unit will be the best of all. His wife is here working with Sid and agrees on everything he says.

●

Aaron Saperstein has a pain in the back he's been trying to get rid of the past few days and couldn't. He says he couldn't sleep on the train on this account. His plans to drive his two sons east have been postponed until a later date.

●

Herman Blum, true Baltimorean, brought seven southern exhibitors with him for company. He says the South must stick together.

●

Dave Snaper, Jersey circuit owner, arrived late Wednesday night in a light green fedora. His sidekick, Joe Lee of Fox, dropped in Thursday.

●

Jay Emanuel, who lives at the President during the summer, is only a short distance away from Allied convention headquarters, but sees all and hears all about the session as he passes by the Ritz Carlton with his better half.

●

John Benas and I. Welt of the Leon Rosenblatt circuit arm-and-armed it on the boardwalk. Welt with a cane and busy conversing with Benas.

●

"Sonny" Winnick, Jersey "U" salesman, is on home grounds amongst friends. He advises the reason Max Cohen is absent is due to his being ill.

●

Reports here have it Herb Miller and Paul Greenhalgh of the Emanuel Publications are engaged and Miller will take the vow first. Neither is here.

●

E. O. Heyl, manager; Ed Anger, assistant manager; E. A. Timothy, salesman; R. H. McCune, New Jersey representative of RCA Photophone, are here with an exhibit. In fact, the third floor is given over to numerous displays of other products.

●

Moe Rosenberg, operator of the West End, Newark; Franklyn, Nutley, and Broadway, Woodcliffe, all in New Jersey, is here for the first time as an independent exhibitor. He was identified with Warners at the home office for five years and three months ago decided to go in business for himself.

●

Herb Copeland, A. C. city manager for Warners, is playing host to all Allied conventioneers. Copeland used to manage the Winter Garden on Broadway.

●

Very few tuxedos made their appearance at the banquet last night, most of the members preferring informal dress.

●

Abram Myers and Sidney Samuelson must be holding secret confabs. Neither can be found around the lobby after regular sessions are over.

●

Haskell M. Block, son of Mark, operator of the Lyric and Station, Newark, is meeting a lot of Sigma Tau Phi fraternity members while attending the convention. Haskell is general manager of his father's theatres and is having a swell time here. Mark continues to complain about his 10-cent houses, but they're still making money.

●

Louis Gold of the Rivoli, Newark, strutted the boardwalk with his wife and two daughters last night. Julius Charnow took his wife for a ride in a perambulator, while some of the other members took to other diversions.

●

At least half of the Allied conventioneers attended the greyhound races last night. Seems the dogs hold a greater thrill than anything else for exhibitors.

Congressional Code Probe Asked at Allied Meeting

(*Continued from page* 1)

stated that action by the association had been already started, particularly in New England, where, he said, all congressmen were lined up in support of Allied principles. Abram F. Myers, general counsel of Allied, will be the Washington contact, it is understood, while Allied members in each city will seek to line up the local congressmen before the national legislature reconvenes.

In another resolution the meeting pledged itself "to seek revision of the copyright law which will neutralize the arbitrary and destructive power possessed and exercised by such combinations as the American Society of Composers, Authors and Publishers and restrict copyright owners to privileges and protection reasonably contemplated by constitutional grant."

A third resolution asked for the unified support of all independent units. Another urged that further erection or licensing of dog tracks be stopped, that no giveaways be distributed, that the racing season be limited to four weeks, that betting be restricted and racing be confined to afternoons.

Also presented was a resolution bitting Philadelphia exchanges serving Jersey theatres with prints censored by the Philadelphia censor board. This resolution declared Northern New Jersey houses served from New York were getting better censor-passed pictures.

Independents, regardless of their policy, were asked to lengthen their playing time and eliminate one change of program weekly. Better selection of product and no fear of a shortage would result if this plan were adopted, it was said.

John Benas, buyer for the Leon Rosenblatt circuit, spent five hours this morning and afternoon analyzing the new product of all companies.

Independents In Southeast Lambaste Code

(*Continued from page* 1)

ducing companies, Atlanta exchange managers, local code officials, trade press and all individuals of any prominence in the industry.

"Under the code," says the document, "independents have sacrificed all former methods of holding and increasing trade, such as two-for-ones, discount tickets, etc., and the chain theatres have made but few concessions along these lines, staging a fight instead against double-feature programs, in many instances a vital necessity for the independents."

It adds that the chains "through their superior advantages in code procedure are stifling the independents with additional business outrages, which formerly they dared not attempt under the anti-trust laws." The charge is also made that "the chains are demanding and receiving unreasonable protection over the independents, until the latter are being forced to close because of (a) films so old their value is useless; (b) no film at all."

The declaration asserts that "an honest interpretation" of Campi "contains within itself sufficient relief to settle all difficulties which may arise between the producer-distributor and the independent theatre operator; we feel justified in bitterly complaining over the administration as it is now given impulse; we feel this charge to be grave but we also firmly believe it can be substantiated, and that until this situation is corrected, the Code Authority is impotent to render the relief the wise framers of it intended."

The organization announces its intention "to fight for its lifeblood and to secure for ourselves and all other independent exhibitors all those rights and privileges which we know are ours under every law of rights and every law of justice."

The declaration also asserts that "unholy alliances between the producer and chain theatre owner" have thinned the ranks of the independents.

Ohio Tax Setback; Extra Session Off

(*Continued from page* 1)

down five times during incumbency of the present legislators, will be given consideration Nov. 19, the time to which the last session of the General Assembly was prorogued.

Enactment of the sales tax is expected to automatically repeal the 10 per cent state admission tax, together with other imposts coming within the category of the nuisance tax.

L. A. Sends Out Schedule

Los Angeles, Aug. 24.—More than 600 copies of the revised zoning schedule for this territory have been mailed to the various branches of the industry.

Edwards to Sheffield

Denver, Aug. 24.—A. G. Edwards is now manager of the Sheffield exchange, which distributes Monogram.

Reduce Para. Creditors to $50,600,000

Creditors' claims against Paramount Publix have been scaled down to $50,600,000, thus realizing the most optimistic hope of groups working on reorganization of the company.

Claims in bankruptcy filed against Paramount aggregated $282,700,000. Early in reorganization proceedings, debenture holders offered the view that if the claims could be scaled down to $60,000,000, a reorganization plan could be achieved and that, if they were reduced to $50,000,000, an unquestionable satisfactory plan could be advanced. Thus the present status of claims against the company realizes the most optimistic hopes of those engaged in the rehabilitation,

The claims comprising the present balance are those of debenture holders for $25,800,000; of banks for $13,500,000, and of general creditors for $11,300,000.

Among the large claims eliminated through plans of settlement are those of Paramount Broadway bondholders for $178,500,000; of Allied Owners for $23,300,000, and of general creditors for $12,500,000. The balance includes the debenture holders' and banks' claims and $29,000,000 of other claims. The latter amount has been reduced to $11,300,000 by the expunging of $14,400,000 after court procedures and a reduction of $3,300,000 after contesting the amounts in which claims were filed.

The Paramount Publix trustees had cash on hand of $15,644,000 as of June 14, last. Leading reorganizing factions among Paramount creditors, which comprise debenture holders, banks and stockholders, have hopes of a reorganized Paramount by Oct. 1 and a completed plan within three weeks.

Banks Score Point; Stall Examination

(*Continued from page* 1)

Wednesday by Federal Judge Murray W. Hulbert. In the event it is denied, examination of the officers will proceed five days after the entering of Judge Hulbert's order, Special Master John E. Joyce, before whom the examinations were to have been begun yesterday, ruled.

Bank officers already subpoenaed for the examination include Thomas A. Reynolds, vice-president of the Natonal City Bank; Max D. Howell, assistant vice-president of the Chemical Bank & Trust Co., and L. A. Keidel, vice-president of Bankers Trust. Nine other New York, Chicago and Philadelphia banks are made defendants in the Film Production suit, in which the Paramount trustees seek to have the banks declared general, rather than preferred creditors of Paramount's, as will be their status if the Film Production transaction is upheld by the court.

Finishes First for "U"

Hollywood, Aug. 24.—Buck Jones has finished the first of the series of six features he is making for Universal release.

Seeks Appeal Versus Trusteeship Posts

A motion for leave to appeal from the U. S. District Court order appointing Charles D. Hilles, Eugene W. Leake and Charles E. Richardson permanent trustees of Paramount Publix as a debtor corporation was filed with the U. S. Circuit Court of Appeals here yesterday by Samuel Zirn, attorney for a small group of Paramount bondholders.

The motion is returnable at the fall term of the appeals court, which opens Oct. 1. It alleges various former bank and film associations of the trustees tend to disqualify them as trustees of Paramount. A similar action by Zirn following the appointment of the three as trustees in bankruptcy for Paramount more than a year ago and making allegations almost identical to those in the present action, was dismissed by the Federal Circuit court here and Zirn's application for an appeal to the U. S. Supreme Court was denied in that instance.

Flash Previews

Death on the Diamond—Excitement and mystery keynote this baseball yarn and keep it moving at an interesting pitch throughout. While not entirely logical, it is completely entertaining with special attractiveness to ball fans and lovers of action melodrama.

Caravan—Despite its elaborate production, "Caravan" falls short of the big picture class. A slow-moving and slow-motivating romantic drama, its premise is lost in the ponderous symbolic musical accompaniment. . . . That it is a different musical operetta is the film's chief showmanship quality.

These films will be previewed in full in a later issue of Motion Picture Daily.

"Dames" Is the Topper

Warners yesterday took exception to a Motion Picture Daily dispatch from New Orleans indicating that "Treasure Island" was leading the field there in point of gross this week and cited $11,500 for its picture at the Orpheum. The house normally does about $6,500.

Rowland Brown Seen In M-G-M's U. K. Unit

(*Continued from page* 1)

which is being taken over by Alexander Korda. The split came over a difference of opinion on how the production should be handled.

"I parted friends with Korda," Brown told this correspondent. "Korda is fond of directing himself and apparently has no confidence in my method while I couldn't agree with his."

O'Ryan Cuts Pickets At Theatres to Two

Heeding the protests of local theatre owners, Police Commissioner O'Ryan yesterday modified the recent order extending leniency to mass picketing by union groups. The order limits the number of pickets to two at any one theatre. The police were told to make arrests where they met with resistence in enforcing the order.

Back in Show Column

Columbus, O., Aug. 24.—The RKO Palace switched from straight pictures to a combination picture and stage policy today with "Bowery Music Hall Follies," a B. & K. unit. "Cockeyed Cavaliers" was on the screen.

Akron, O., Aug. 24.—Loew's and the Palace, playing straight pictures for several months, are swinging into the stage show column. Loew's will be on a weekly change basis, while jthe Palace will play intermittent engagements, using only such units as appear suitable for the particular clientele of this house.

Eastman Profits Up 55%

Rochester, Aug. 24.—Eastman Kodak reports net earnings of $6,745,676 for the 24 weeks to June 16. This represents a gain of 55 per cent. over profits of $4,348,624 for the same period of 1933. This year's showing is equal to $2.91 a share as compared with $1.84 last year.

MOTION PICTURE DAILY'S HOLLYWOOD PREVIEW

"Age of Innocence"

(*Radio*)

Hollywood, Aug. 24.—Another composite of all pictures reveals John Boles engaged to the sweet, young Julie Hayden, but he falls hard for the fascinating, about-to-be-divorced Irene Dunne. Family tradition forces Boles to marry his fiancee, but finding that they cannot bear the separation, he and Miss Dunne are about to get away from it all together when the discovery that Boles' wife is about to have a baby separates them forever.

Despite the plot, told mostly by flashbacks, the picture has two saving graces—the understanding direction of Phillip Moeller and the outstanding performances of every member of the cast, including Miss Dunne, Boles, Miss Hayden, Laura Hope Crews, as the latter's mother, Lionel Atwill, as a man-about-town, and particularly Helen Westley, as the grand old grandmother. Photography by James Van Trees is good on the long shots, but spotty in the close-ups.

The picture may do well where Boles and Miss Dunne draw though mass appeal seems secondary to class values. Running time, 82 minutes. This was previewed minus a code seal.

Campi Rules 'Bank Nights' A Violation

All "Bank Night" and lottery forms were held to be violations of the reduced admission provisions of the code in a decision handed down by Code Authority, Friday, and made public yesterday. At the same time, Campi's decision holding United Artists subject to the cancellation provisions of the code was disclosed, verifying Motion Picture Daily's exclusive story yesterday of the Campi finding in this instance.

The "Bank Night" ruling, establishing a Campi precedent in cases of the kind, was based on an appeal by the Englewood, Chicago, from the local grievance board which held a "screeno" game involving the distribution of a cash prize by the Englewood was a violation of the reduced admissions clause. Campi upheld the local board's finding. The complaint against the Englewood was brought by B. & K.'s Southtown.

A new plan of allocating assessments for code administration costs against producers, distributors and exhibitors is scheduled to be ready for presentation to Campi at its special meeting next Thursday. Following the protests of a number of companies, NRA agreed to the withdrawal of the original assessment plan and the drafting of a new.

The complaint of the M.P.T.O. of Eastern Pennsylvania, Southern New Jersey and Delaware that some distributors' sales pacts violate the standard contract requirement of the code has been referred by Campi to its legal committee for investigation.

A plan for invoking a royalty system for production talent is also expected to be submitted to Campi at a later date. Completion of the plan is now awaiting final reports of investigating committees in Hollywood.

Better Films, Less Heat Aid Cincinnati

(*Continued from page* 1)

values, has been reflected in box-office takes here this week.

"Treasure Island" pulled a nifty $15,000 at the RKO Albee, while "Dames" at Keith's, did an estimated $12,000. These are excellent grosses for this season of the year. Both pictures are playing extended runs, with the former moving to the RKO Lyric.

The RKO Palace, with "The Cat's Paw," rang up approximately $11,000.

Other spots finished the week in the upper brackets.

Report Agfa Behind Adventure Pictures

(*Continued from page* 1)

action features and serials under the name Adventure Pictures, taking over the International Studio here for the purpose. King Charney, local representative of the company, is being mentioned as production head. This morning he denied the report, but admitted such a deal might be possible.

At the New York offices of the Agfa Ansco Co., no one yesterday had any knowledge of such a deal.

The Leading
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Newspaper
of the
Motion
Picture
Industry

MOTION PICTURE DAILY

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Film Finance Figuring in Pathe Plans

But Reorganization Is To Come First

Pathe will be in the market for increased production financing on completion of its plan of financial reorganization, which is scheduled to be acted upon by stockholders Sept. 11, Stuart Webb, Pathe president, said Saturday.

The reorganization plan, if approved, will authorize a new Pathe company to issue collateral secured notes up to $4,000,000 in amount to provide new working capital. The production financing will involve laboratory contracts between producers and Pathe's Bound Brook, N. J., laboratory. Such a deal was recently closed with Chesterfield-Invincible.

Others will be negotiated on consummation of the Pathe reorganization plan, although no new deals have been definitely advanced as yet, Webb added.

12 French Talkers For U. S. Market

Jean Coupan, director of publicity of the Federation Nationale du Cinema Francais, French trade organization rival of the Chambre Syndicale, completed a deal Saturday

(*Continued on page 8*)

Velez-Rowland Case May Set Precedent

Los Angeles, Aug. 26.—The first instance of a municipal court being asked to determine whether or not a

(*Continued on page 8*)

Motive Not Clear

St. Louis, Aug. 26.—Eighty automobiles properly decorated and making all the noise the law allows paraded through the outer precincts here to properly inform the natives and any visitors in town that the 19 theatres in the St. Louis Amusement Co. were staging a Theatre Managers' Appreciation Week.

Just what the managers were appreciating was not made clear but it was a good ballyhoo nevertheless.

Singles in Jersey Head For Fadeout

Do Not Expect Ban in Effect on Sept. 20

By WILLIAM ORNSTEIN

Atlantic City, Aug. 26.—Very little hope is seen by some Allied members for adoption of a single feature policy in New Jersey. The original starting date, Sept. 3, already has been set back to Sept. 20, and from all indications the ban will not get going then.

Skouras, which has signed the agreement to go single, has twin bill bookings already dated until Oct. 16.

Then again, some members figure, the circuits will benefit by the deal if

(*Continued on page 3*)

Duals' Rush Faces Milwaukee Theatres

Milwaukee, Aug. 26.—Warners' Strand downtown is slated for reopening Sept. 1 with twin features. Indications are that before the end of the year 75 per cent of the houses in the county will be playing dual bills and at least one other downtown house will follow suit. Reports have it that Warners will get Paramount

(*Continued on page 3*)

Promises Allied to Turn More Militant

Atlantic City, Aug. 26.—Offensive and defensive campaigns on behalf of the independent exhibitor were cited as the most vital issues on Allied States' future slate, following the close of the organization's eastern meeting here yesterday.

The most immediate and pressing problems are the code and the pro-

(*Continued on page 3*)

No Dues, No Dope

Atlantic City, Aug. 26.—Sidney Samuelson, president of Allied of New Jersey, today told *Motion Picture Daily* he would not issue any more bulletins for his organization.

Samuelson claims non-paying members and outsiders are benefiting by his information, which rightly belongs only to paid-up members.

Fox Midwest To Label All Film Types

Kansas City, Aug. 26.—An elaborate campaign calling attention to the fact that a greater number of 1934-35 releases than previously will be adaptations from books and a plan of earmarking all pictures as either "family" or "adult" are the salient features of Fox Midwest Theatres' showmanship plans for the new season.

The campaign has a twofold purpose: To recapture the interest of the more discriminating and educated classes who have been alienated from

(*Continued on page 3*)

Bellman to Open 2 More 'Changes Soon

Jack Bellman, president of Hollywood Exchanges. Inc., plans two more exchanges in the East within the next few months. He now has four branches and has not yet decided where the additional offices will be located. Bellman states he is gradually strengthening his position in the East and is in no rush to expand.

He has just signed for Liberty product in his four centers.

K.C. Price Hike Came After Suburbans Failed to Decide

Kansas City, Aug. 26.—The circuits are treating local independents to the cold shoulder in price-raising moves at first runs, choosing to ignore the independent suburbans entirely. This is taken as an indication that their patience is worn out waiting for the independents to reach some accord on prices, after several attempts turned a flop.

The present price hikes by first runs follow the outlawing of premiums in the Kansas City area, which was desired by the circuits as a condition to their agreement to revise scales upward. Restriction of duals, which was also demanded by the circuits, seems doomed by Campi's Code Authority's recent decision regarding penalizing

(*Continued on page 6*)

Once 1,800, Para. Circuit Totals 1,230

1,000 in U. S., 200 in Canada, 30 Abroad

Paramount theatre holdings have been reduced by approximately 600 houses throughout the world during the 18 months of the company's receivership and bankruptcy proceedings, it is indicated in a report to the Federal District Court here submitted by the company's trustees.

The report places present Paramount holdings at approximately 1,230 houses, of which slightly more than 1,000 are located in 39 American states, 200 in Canada and 30 in 11 foreign countries. An earlier report to the district court placed holdings at approximately 1,800 houses at their 1932 peak.

Numerous leases were disavowed during the company's bankruptcy, many were turned back to former owners and others were disposed of in other ways.

Fox and M-G-M Sell Mayfair; New Twist

Unable to get together with the Roxy, Fox has closed with the Mayfair to play the distributor's product which does not make the grade at the

(*Continued on page 8*)

Sees No Answer for L. A. in Zone Talks

Reconvening of local clearance and zoning boards to hear complaints against existing schedules, in the event

(*Continued on page 3*)

Now It's 21

Hollywood, Aug. 26.—United Artists' program, as it now stands, totals 21. Ten will come from 20th Century, three from Samuel Goldwyn, two from Reliance, three from London Films, two from B. & D. and one from Charlie Chaplin. Joseph M. Schenck supplied the breakdown.

He scouted reports that Mary Pickford, Douglas Fairbanks and Chaplin would not release through U. A., adding any pictures they do must go through the company according to their contracts.

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Liberty Sells Group To Loew Chain Here

Bud Rogers, sales manager of Liberty Pictures, on Saturday said his line-up had been sold to the Loew circuit for the metropolitan area. One picture was bought earlier and four in a second deal. It is the intention of the circuit, according to David M. Loew, to give them immediate dates and play them off in the next six or seven weeks. Jack Bellman of the Hollywood Exchange closed for Liberty. He releases the series in this territory.

Travelers East

HOLLYWOOD, Aug. 26.—"Jock" Whitney is heading for New York after a four-day business trip to Hollywood.

Maurice Chevalier leaves next week enroute for a month's vacation in France. He returns late in September to resume his contract with M-G-M.

Columbia in India

CALCUTTA, Aug. 26.—Columbia Pictures will distribute in India through its own offices in the future. Branches will be located here and in Bombay. N. C. LaHarry, present Columbia representative in India, will be in charge.

Virginia Passes West

RICHMOND, Aug. 26.—"Belle of the Nineties" has been passed by the Virginia censor board.

Insiders' Outlook

PARAMOUNT spent $250,000 in laundering the West picture. That brings its negative cost close to $900,000, which is what De Mille went for on "Cleopatra." That's a stiff price to pay for clean linen. . . . Phineas J. Biron, which is the byline over a column in *The Jewish Criterion*, pens this:

> "That prominent attorney who claims that the movie cleansing campaign is merely a drive to oust the Jews from the motion picture industry is none other than Nathan Burkan, the brilliant theatrical lawyer."

▼

What Walter Reade didn't talk about Saturday was a third deal, backing up the Fox and M-G-M arrangement, which gives the Mayfair Warner product the Strand won't or can't use. General knowledge that the Rialto and Roxy were talking a buying pool, plus the additional and always vital fact that Fox had different ideas on terms, are influences which swung that product away from the Roxy. Say distributors, in effect: "We don't like the buying combination idea. It will bear down on prices." Say Mayer, whose first name is Arthur and Harry whose last name is Arthur, also in effect: "We have no such idea. We do think pictures bought jointly will allow routing them into the theatre where they best fit, but we expect to buy, not steal, them." . . .

▼

The town is still chortling over the story of the comparative newcomer, lodged in high councils, who met the man universally regarded as one of the keenest minds in the industry. "Mr. ——, I haven't been in the business as long as you have, but in six weeks I'll know as much as you," said he. . . . "As a customer, I am now registering objections to inclusion in your newsreel of dancing on the Mall in Central Park," wrote an important and second newcomer, identified with a New York first run. "As sales manager for that newsreel," came the answer, "let me point out if you don't know it that, despite anything we can do, people still stroll and ride horseback in the park and they're swimming in great numbers down at Coney Island. That's some more competition you forgot to mention." . . .

▼

Over the Associated Press wires out of Berlin:

> "Willie Krause, chief Nazi film censor, was censored himself, it was learned today, when a Nazi board of censorship rejected his scenario, 'The Courage of Suzanne.'
>
> "The scenario dealt with a girl seeking a film career and a producer's effort to seduce her. It was held that the scenario was about an improper subject."

Those queer Germans! . . .

▼

Lloyd gave the Music Hall $83,000 in the first week of "The Cat's Paw." Sunday—a week ago, not yesterday—kept the picture from further soaring. Weather was not theatre weather and the take was only $10,000, which is plenty for some other theatres' week but bad there. . . . RKO is reported sour on the Detroit pool in which its running mate is the Fox. . . .

▼

Plenty of carfare saved by exhibitors via Campi's decision to throw zoning back to the field in the move to keep existing schedules as they are. Dated as far ahead as October 29 and covering many key cities, the men in the territories were preparing to swoop down en masse. . . . Backslapping: Last fall, we dug up the story while in Detroit of the Trendle booking combine. Almost a year later, the combine is a fact. What is not clear is why Trendle wants it. . . .

KANN

Trading Fair on Big Board

	High	Low	Close	Net Change	Sales
Consolidated Film Industries	3	3	3	+ ⅛	100
Consolidated Film Industries, pfd.	14⅜	14⅜	14⅜	+ ¼	100
Eastman Kodak	101⅝	100¾	101	+ ¼	1,200
Loew's, Inc.	29	28⅞	28⅞	.....	2,100
Paramount Publix, cts.	4	3⅞	3⅞	— ⅛	2,400
Pathe Exchange	1⅜	1⅛	1⅛	— ⅛	2,500
Pathe Exchange "A"	15¾	15½	15½	— ⅝	300
RKO	2½	2½	2½	— ⅛	100
Warner Bros.	4¾	4⅝	4¾	+ ⅛	1,000

Technicolor Up ¼ on Curb

	High	Low	Close	Net Change	Sales
Technicolor	13¼	13	13¼	+ ¼	500

Paramount Broadway Bonds Up 2½

	High	Low	Close	Net Change	Sales
General Theatre Equipment 6s '40	6¾	6¾	6¾	— ⅛	3
Loew's 6s '41, ww deb rights	101¾	101¼	101¼	— ½	2
Paramount Broadway 5½s '51	38	38	38	+2½	1
Paramount Publix 5½s '50	49	48⅛	49	+ ¼	3
Pathe 7s '37 ww	98½	98½	98½	+ ½	1
Warner Bros. 6s '39 wd	56⅜	56¼	56¼	.....	4

◀ Purely Personal ▶

WILLIAM G. MANSELL, manager of the Warner branch office in Philadelphia, is here conferring with A. W. SMITH, JR., in charge of the company's eastern and Canadian distribution.

WALT DISNEY is about to receive another award. This time it's coming from Brazil, in form of a bronze statue of Mickey Mouse.

HARRY GRIBBON has been engaged by Educational for a comedy to be made at the Eastern Service plant in Astoria.

JOHNNY BUTLER, long with Paramount in Astoria, is production manager on "Gambling," starring GEORGE M. COHAN.

LEON JANNEY will be guest star with the New York Players at Ivorytown, Conn., this week. He has a role in "Seventeen."

GEORGE J. PODEYN has joined Donahue & Coe in charge of all radio activities.

MARK OSTRER, JEFFERY BERNERD and ARTHUR LEE, G-B triumvirate, spent the week-end in the country.

KETTI GALLIAN, Fox player, treks it to the Riviera after she completes "Marie Galante."

TOM HOWARD has been re-signed by Educational for a new group of two-reel comedies.

PAULA GOULD has just sold her first novel, "Love Is a Madness."

House Can't Absorb N. O. Ticket Impost

NEW ORLEANS, Aug. 26.—Theatres will not be permitted to absorb the new local amusement tax. The extra cent must be collected on all tickets, exhibitors have learned.

The levy, which covers the entire New Orleans situation, will actually raise admissions for the theatre operator and allow him to show profit, according to some managers here. While the tax is a flat one cent up to 50 cents, the actual tax is two per cent of the admission, which makes a difference of several mills between the cent collected from audiences and the amount which should be paid the city under the two per cent law.

Suit Charges Plagiarism

Mark Linder, playwright, filed a plagiarism suit in U. S. District Court here Saturday against Fox alleging that the picture, "Now I'll Tell," infringes on his play, "Room 349," which, Linder says, was produced at the National here in 1929 with Inez Norton.

The suit asks an injunction against Fox, an accounting of profits on the film and damages of $100,000. Linder asks leave in the suit to elect to settle for $500 for each performance of the picture in lieu of damages.

Miriam Hopkins East

HOLLYWOOD, Aug. 26.—Miriam Hopkins left for New York today aboard the *Santa Paula* on a vacation and to consider offers for a stage appearance. In the meantime, the actress will return here in October for a picture at Radio.

Singles in Jersey Head For Fadeout

(Continued from page 1)

it goes through and some Allied members are not anxious to sign. They figure that, with the elimination of a second feature, major houses will add vaudeville as extra attractions while independents, most of them with no stages in their theatres, will be out of luck.

Many are peeved at Edward Golden for discussing duals at the Allied banquet here Thursday night. Golden was asked to "lay off" since Sidney Samuelson didn't want serious business to enter into the affair. After a few wisecracks about Samuelson's new $5,000 annual stipend, Golden told the boys that they were joining hand in hand with the M. P. T. O. A. policy in driving independent producers and distributors out of business.

Sees Showdown Coming

Golden stated:

"The time is coming shortly when a showdown will be on the table and, if you conspire with the M. P. T. O. A. on elimination of duals, you are destroying the independent. If you feel it is good for you to drive the independent producer and distributor out of business then it is just as good for us.

"Whether you are using independent pictures or not, they are a good thing to have around the corner. You will never know when you will need them," he said.

Golden hit the M. P. T. O. A. agitation against duals as the most destructive force in the fight of independents for their own salvation.

Duals' Rush Faces Milwaukee Theatres

(Continued from page 1)

here for the new season. The product was booked last season by the Palace.

K. C. 1st Runs End Duals

KANSAS CITY, Aug. 26.—Although the RKO Mainstreet is waiting another week before putting the price increase agreement into effect, dual bills at first runs were abolished Friday on schedule.

The Mainstreet canceled a second feature for this week's program and is showing "The Dragon Murder Case" as a single. The hike to 50 cents top becomes operative at this house with the next attraction, "Hat, Coat and Glove," which will share the bill with the Mainstreet's initial stage show of the season, "World's Fair Scandals," featuring the Texas Guinan girls.

Cleveland Case Up Soon

CLEVELAND, Aug. 26.—Hearing on the temporary injunction granted against the Family, restraining it from playing double features after having signed an agreement to abolish them, is expected to be heard the first week in September.

Paterson House to Duals

PATERSON, N. J., Aug. 26.—The Garden switches to first runs after Sept. 15. It has been running second run double bills for over a year.

Policy of twin-bills, second run, will shift to the Regent, heretofore a vaudeville-picture theatre.

Friend Vs. Enemy

Atlantic City, Aug. 26.—Herman's Restaurant on the boardwalk pulled a boner on a window card which stated "Welcome Motion Picture Theatre Owners of America."

When Sidney Samuelson of Allied saw the sign he rushed into the eatery, notified the management of the faux pas, and heard the following conversation over the phone between the owner and sign painter.

Said the owner: "I told you to make me a motion picture sign and instead you give me the sign of the enemy."

Promises Allied to Turn More Militant

(Continued from page 1)

posed music tax increases, Sidney Samuelson, president, stated. Allied will continue to cooperate with sympathetic exhibitor groups in its activities, Samuelson said, but declared that its main efforts will be in the interests of those Allied units which contribute to the financial support of the national organization.

Three or four new units will be added to the national organization within the next six months, it was said. The New Jersey Allied unit plans a session on state legislative matters at Trenton in the near future. No directors' meeting is scheduled for the next two months.

Boston for Allied Next

The next eastern convention of Allied units most likely will be held in Boston some time next month. Baltimore is a possibility, but since Boston is Walter B. Littlefield's home ground, the meet is about set for the Bean City. The units just completed a three-day meet in Atlantic City.

Pittsburgh Parley Oct. 1-2

PITTSBURGH, Aug. 26.—Annual convention of the M. P. T. O. of Western Pennsylvania, Allied affiliate, will be held at the Shanley Oct. 1-2.

The present slate is expected to be re-elected in addition to three members of the board of directors whose term expires this year. The present set-up is:

Dr. C. E. Herman of Carnegie, Pa., president; William Lipsie of Blairesville, Pa., vice-president; Joseph Gellman of Duquesne, Pa., treasurer; Fred Herrington, Pittsburgh. secretary.

Saperstein Returns

CHICAGO, Aug. 26.—Aaron Saperstein, head of Chicago's Allied unit, returned yesterday from Atlantic City, where he attended the Allied of New Jersey and eastern convention.

He left here with a cold, but the Atlantic City sun cured him, he says.

Campi Reverses Local Code Boards in 4 of 19 Cases

Local code boards were reversed by Campi in four out of 19 cases brought to it on appeal, it was disclosed by decisions handed down by Campi at its last meeting and made public Saturday.

Following are the findings of Campi in cases appealed from local grievance boards:

Atlanta—Amusement Corp. of Lake Wales, Fla., Inc. (Scenic Theatre) vs. Mountain Lake Corp., Lake Wales; Local board's order directing distributors to cease selling film to Mountain Lake's clubouse is affirmed.

Boston—Aetna Amusement Enterprises (Arcadia), Portsmouth, N. H., vs. Maine & New Hampshire Theatres (Colonial and Olympia, Portsmouth): Local board's dismissal of overbuying complaint against Maine & New Hampshire is affirmed.

Chicago—Ben Bartelstein (Annette, Cicero, Ill.), vs. Schoenstadt & Sons (Palace, Cicero): Local board's dismissal of overbuying complaint against Schoenstadt is affirmed.

Garden, Indiana Harbor, Ind., vs. Indiana, Indiana Harbor: Local board's order dismissing complaint is affirmed.

B. & K. (Tower and Southtown, Chicago) vs. Schoenstadt & Sons (Kenwood, Atlantic & Piccadilly, Chicago): Local board's order finding Schoenstadt guilty of reduced admissions violation is affirmed.

B. & K. (Southtown, Chicago) vs. John Kampton (Englewood, Chicago): Local board's finding Kampton guilty of reduced admissions charge is affirmed.

Dallas—Frank Jungman (New, Falfurrias, Tex.) vs. Hall Industries Theatres (Rialto, Alice, Tex.): Local board's finding Hall Ind. not guilty of unfair competition (reduced admissions) charge is reversed and Hall is directed to cease practice.

Denver Board Upheld

Denver—D. R. Kline, et al, vs. Charles Kreiling (Majestic, Denver): Local board's finding Kreiling guilty of reduced admissions (Country Store Nights) is affirmed.

Indianapolis—Northern Theatres, Inc., (Rivoli) vs. Emerson Theatre Corp., et al: Local board's finding defendants guilty of premature advertising complaint is affirmed.

Charles R. Metzger and 118 theatre owners vs. L. O. Sholty and all Indiana distributors serving free street shows: Local board's finding defendants guilty of unfair trade practice is affirmed.

H. R. Evans (Albion, Albion, Ind.) vs. United Artists, Indianapolis: Local board's finding U. A. guilty of violation of cancellation provisions of the code is affirmed.

Kansas City—I. W. Maple (Maple, Bethany, Mo.) vs. L. M. Robinson (Rigney, Albany, Mo.): Local board's finding Robinson guilty of interference with lease negotiation complaint is reversed and complaint dismissed.

New Orleans—Philip Sliman (Evangeline, New Iberia, La.) vs. Palace, New Iberia: Local board's finding Palace not guilty of overbuying and unfair operating policy complaints is reversed and Palace is directed to prepare two lists of 34 pictures each, either one of which to be selected by Sliman who will execute contracts for his selection with distributors on terms as favorable as those now pertaining with the Palace.

Paramount Pictures Dist. Corp., New Orleans, vs. Allen, Oakdale, La.: Paramount's complaint of non-fulfillment of contract is dismissed.

New York—Loew's Rio vs. L. & B. Amusement Corp. (Heights): Local board's finding L. & B. guilty of violation of premature advertising complaint is affirmed.

Anne Amusement Corp. (Wallack's) vs. Harry Brandt (Liberty): Brandt directed not to interfere with lease negotiations of complaint.

San Francisco—Gerald Hardy (Hardy's Fresno, Fresno) vs. Fox West Coast (State, Kinema and Wilson, Fresno): Local board's dismissal of overbuying and unfair operating policy is reversed and re-hearing of complaints ordered.

Campi's decisions on appeals from local clearance and zoning boards' rulings were:

New York—Forumhold Corp. (Forum) vs. Loews Victory et al: Local board's finding that clearance of Victory over Forum is reasonable is affirmed.

Broadwood Hldg. Co. (Elwood, Newark) vs. Warner's Regent, Newark, et al: Local board's finding that reasonable clearance exists in this case is affirmed.

Fox Midwest To Label All Film Types

(Continued from page 1)

the screen and second, to allay criticism and gain the cooperation of local organizations interested in better films. Partly institutional in character, the advertising and publicity to be used in the Fox Midwest division is designed to create good-will and to impress teachers, students, women's clubs and self-appointed critics that the theatres this year really have something to interest them.

Fox Midwest executives believe that identifying films as either "adult" or "family" and so advertising them to the public is the only practical solution to the problem of what is fit for children and will go a long way toward preventing savage, unfair attacks by rabid reformers. Discussing the departure, H. E. Jameyson, Wichita district manager, said:

Holds Public Also to Blame

"While films have earned much of the criticism now being leveled at them, the fault is not entirely with the films themselves. A large part of the difficulty lies in the fact the wrong people see the wrong pictures."

Fair or unfair, the responsibility for what children see falls in the lap of the individual manager, Jameyson declared. The manager is now the goat for parental neglect and indifference, but under the new plan the parents will be responsible for film selections, he said.

The "Selected Motion Pictures" booklet issued monthly by the M.P.P.D.A. giving the joint estimate of yreviewing committees will largely be followed in determining the classifications. In the event of doubt, managers are urged to be on the safe side and use the "adult" label. The opinion of the district managers also may be sought in such instances.

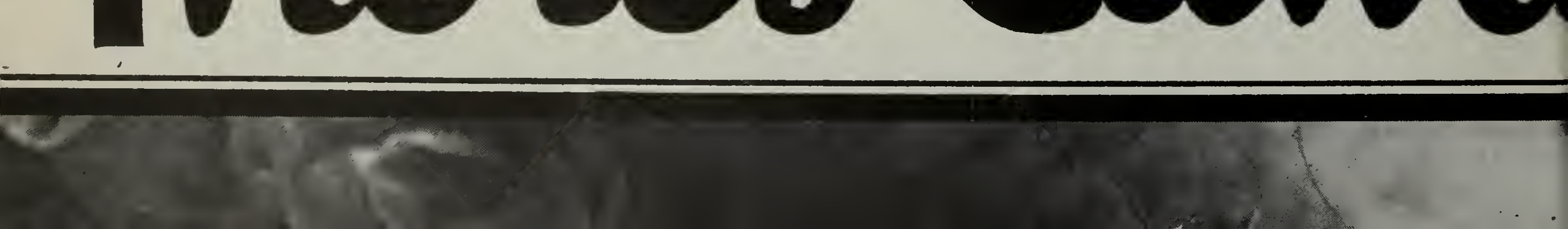
Sees No Answer for L. A. in Zone Talks

(Continued from page 1)

efforts to draft new schedules this season are abandoned by Campi will not solve the clearance and zoning problem in Los Angeles where no schedules have existed since 1930, Ben Berinstein, president of Associated Exhibitors, Inc., said Saturday.

Berinstein is here from the Coast to speed action on a Los Angeles zoning plan. He stated his territory is unique in extent and in various local characteristics which require that it have a schedule of its own. He said he would present a plan to Campi's clearance and zoning investigating committee, probably at its scheduled Tuesday meeting, and hoped for approval of it then and at the special session of Campi on Thursday. The committee is expected to complete its investigation into the advisability of abandoning all efforts to draft new schedules this season and reconvene the boards to hear complaints against existing schedules prior to Thursday's meeting, at which a final decision will be made.

There's Alwa



U Opens Season With a Hit Bigger Than 'Only Yesterday'

. . . and . . . introduces a new star — a sure-fire box-office personality — in a tenderly powerful story as wide in scope as the world of emotion it covers, and as deep in drama as the wonderfully human hearts it reveals! . . . . Gentlemen, Universal is proud to offer this one as its first release of the 1934-35 season! . . . . STEP OUT WITH UNIVERSAL!

●

with

FRANK MORGAN
★ BINNIE BARNES

Lois Wilson, Elizabeth Young, Louise Latimer, Alan Hale. Produced by Carl Laemmle, Jr. Directed by Edward Sloman. Presented by CARL LAEMMLE.

URSULA PARROTT'S

ys Tomorrow

Hike on After K.C.Suburbans Failed Decide

(Continued from page 1)

the practice in clearance, but some form of penalty, possibly a setback of 30 days, is expected to be included in the completed clearance schedule for Kansas City.

First run scales returned to normal Friday after 18 months of price-cutting, which was initiated by Loew's Midland in January, 1933. The old price of 25 cents, prevailing at all first runs day and night, will hold good only until six o'clock.

Anticipated smash hits have been dated by all theatres to inaugurate the price change. The Midland and Publix Newman go to 40 cents top with "Treasure Island" and "She Loves Me Not," respectively. The RKO Mainstreet changes the coming Friday, at the same time resuming the usual fall combination policy of stage shows and pictures. The Mainstreet's scale will be 25 cents to one, 35 cents from one to six and 50 cents nights, plus tax, for the entire house. When the Mainstreet shows films only the night prices will be 40 cents.

The Fox Uptown has been holding "Handy Andy" several weeks anticipating the general price boost, and has spotted the picture for a week from Friday when it also increases to 40 cents. The Tower, independent first run, tentatively has dated "Gift of Gab" for Aug. 31 when it plans to hike from 25 to 35 cents nights, continuing combination stage and film shows, but may defer its price revision a week or two.

Denies Church Aims To 'Dominate' Films

Asserting that results to date "have been most gratifying," Thomas E. Molloy, Catholic bishop of Brooklyn, declares there is no plan afoot to "establish a dominating control of the cinema." In so doing, the bishop covers ground and statement of policy outlined earlier by other prelates of the church.

The bishop makes his point in a letter to Patrick F. Scanlan, managing editor of *The Brooklyn Tablet,* diocesan organ for Brooklyn, and by way of a reply to a report of Scanlan's inactivities of the Legion of Decency since the former left for Europe.

"We are not endeavoring to dictate just what picture programs should be presented," the bishop continued. "We do not wish to impair the vast material investment of the movie industry. We have no intention to interfere with the legitimate employment of anybody."

Elsewhere, the letter states:

"In this matter, of course, we are not actuated by a narrow, petty, partisan spirit. We do not wish to be regarded as cranks, reformers or killjoys."

Aarons Ready to Stump

PHILADELPHIA, Aug. 26.—George P. Aarons, secretary of the M.P.T.O. of Eastern Pennsylvania, is advising members he is ready to talk before civic organizations on their behalf. It is part of the unit's service without cost.

MOTION PICTURE DAILY'S HOLLYWOOD PREVIEW

"Lost Lady"

(Warners)

HOLLYWOOD, Aug. 26.—This picture is of the drawing room type, graced with plenty of dignity and charm.

The story deals with Barbara Stanwyck, embittered by the murder of her sweetheart on the eve of their wedding. About to become a victim of melancholia, she is brought back to her old "love of living" by Frank Morgan, who offers her a marriage in name only. Comes a handsome aviator in the person of Ricardo Cortez and Miss Stanwyck falls hard. As she is about to confess her love to Morgan he suffers a heart attack. In caring for him she learns to love the man who offers her everything for nothing.

Not an exciting plot, but the performances of Miss Stanwyck and Morgan invest this one with plenty of audience interest as do other performers, including Cortez, Lyle Talbot, as Morgan's junior partner; Phillip Reed, as the murdered sweetheart; Rafaela Ottiano, as a maid, and Edward McWade.

The direction of Alfred E. Green is perfectly timed from a good screen play by Gene Markey and Kitty Scolla. The photography by Sid Hickox is good. Production Code Seal No. 147. Running time, 60 minutes.

"Caravan"

(Fox)

HOLLYWOOD, Aug. 26.—Despite its elaborate production, "Caravan" falls short of the big picture class. A slow-moving and slow-motivating romantic drama, its premise is lost in the ponderous symbolic musical accompaniment. Erik Charell's direction, seeking to apply the technique successful in "Congress Dances," results in lengthy sequences wherein symbolic melodies exert a retarding effect on the players' efforts.

Charles Boyer in the lead, the yarn is a romantic triangle portrayed against the colorful atmosphere of an Hungarian gypsy grape harvest festival. His marriage contract with Loretta Young arouses the fury of his gypsy sweetheart (Jean Parker). The situation is complicated by the appearance of Phillips Holmes, chosen by Miss Young's uncle (C. Aubrey Smith) to marry her. As the gypsies make merry, the yarn builds into a conflict between Boyer to hold the bewildered girl and Holmes to win her. The result is as expected: Holmes wins and Miss Parker gets her dream-man back.

Miss Parker and Holmes are outstanding, although Boyer, Smith, Miss Young, Eugene Pallette and Louise Fazenda shine at times. The artistic photography of Ernest Palmer and Theodor Sparkuhl benefits the production greatly.

That it is a different musical operetta is the film's chief showmanship quality.

Production Code Seal No. 115. Running time, 110 minutes.

"Death on the Diamond"

(M-G-M)

HOLLYWOOD, Aug. 26.—Excitement and mystery keynote this baseball yarn and keep it moving at an interesting pitch throughout. While not entirely logical, it is completely entertaining with special attractiveness to ball fans and lovers of action melodrama.

The story revolves around the Cardinals, whose owner-manager, David Landau, is beset by all kinds of obstacles in the pennant race. They shoot down his heavy hitter, kill one of his batteries and go after his star pitcher, Robert Young. The cops step in and everyone is suspected. Audiences are led to believe that a gambling ring, headed by C. Henry Gordon, is behind the shenanigans, but Paul Kelly, a reporter, pegs the mystery for a scoop. Madge Evans, secretary of the club, and Young are the love interest. Real laughs are supplied by Nat Pendleton and Ted Healy. The climax, such as it is, has Young throw a ball off the field to clip the culprit on the head.

The production sustains speed and vitality by a cast who know their onions and Edward Sedgwick's direction balances showmanship values for good effect. The story is an original by Cortland Fitzsimmons, author of "70,000 Witnesses." The screen play is well-knit by Harvey Thew and Joe Sherman, a former press agent. Ralph Spence wrote the added dialogue. Milton Krasner's photography is good.

Without big names the film is clean, program entertainment which may offer surprise grosses. Running time, 72 minutes. It was previewed without a code seal.

(Additional previews on page 8)

"Cavaliers," Stage Show, Detroit Top

DETROIT, Aug. 26.—"Cockeyed Cavaliers," bolstered by a big stage show with Gertrude Niesen, Pat Rooney, pere et fils, and Eddie South registered the best performance in town last week, nabbing $18,200 as compared with the house average of $15,000.

The Michigan was next best with $1,600 over par with "She Loves Me Not." "Treasure Island" is being held at the United Artists for a second stanza.

Weather was cool and the circus was spending its first week in town. Total first run receipts were $57,600. Total average, $55,000.

Estimated takings for week ending Aug. 23:

"FRIENDS OF MR. SWEENEY" (War.)
FISHER—(2,975), 15c-50c, 7 days. **Gross:** $6,300. (Average, $10,000)

"COCKEYED CAVALIERS" (Radio)
FOX—(5,100), 15c-50c, 7 days.
This picture rushed in at the last moment after advertising "Hat, Coat, Glove" for this week. No reason advanced for pulling it.
Stage: Gertrude Niesen, Pat Rooney and Pat, Jr., and Eddie South all heading big stage show. **Gross:** $18,200. (Average, $15,000)

"SHE LOVES ME NOT" (Para.)
MICHIGAN—(4,100), 15c-50c, 7 days. Stage: Paula Stone, Buster Shaver and Midgets heading seven-act vaudeville bill. **Gross:** $21,600. (Average, $20,000)

"TREASURE ISLAND" (M-G-M)
UNITED ARTISTS—(2,070), 25c-50c, 7 days. **Gross:** $11,500. (Average, $10,000)

Not After Mason on Duals, Says Golden

Denying that independent producers and distributors were seeking to retain Lowell Mason to fight their battles on dual features, Edward Golden, spokesman for the independents, states "we will fight our own battles as they come up."

He said Mason has never been approached and if he were he (Golden) would know about it.

New Portland Managers

PORTLAND, Aug. 26.—Evergreen State has appointed Frank L. Newman manager of the Paramount, Mike Newman, manager of the Hollywood and Maurice Folodare, manager of the Liberty. Gerald T. Gallagher, formerly in charge of the Paramount for FWC, has returned to Los Angeles.

Former Houses to Harris

PITTSBURGH, Aug. 26.—Warners will turn back the South Hill Harris in Dormont, Pa., to the Harris interests on Sept. 1. The William Penn on the north side already has been turned back to Harris and the Sherman in East Liberty is slated to be returned to the same parties shortly.

Para. Code Complaint

HOLLYWOOD, Aug. 26.—The Million Dollar, subsequent run house, is charged with a violation of the premature advertising provisions of the code in a complaint filed with the local grievance board yesterday by the Paramount. A hearing on the complaint has been set for Aug. 31.

Discharging an OBLIGATION

ANY manufacturer who has won his way into the confidence of a great industry is under obligation to maintain the standards that have given his product preference. Eastman Super-Sensitive "Pan" is continually discharging such an obligation. On the lot . . . in the laboratory . . . on the screen . . . it is unfailingly delivering the same qualities that first made it a sensation in the motion-picture world. Eastman Kodak Co. (J. E. Brulatour, Inc., Distributors, New York, Chicago, Hollywood.)

EASTMAN *Super-Sensitive*
Panchromatic Negative

12 French Talkers For U. S. Market

(*Continued from page* 1)

whereby John S. Tapernoux will market a dozen French talkers with superimposed titles here and returned to Paris aboard the *Lafayette*. J. P. Ryan, long in the Fox foreign department and at one time that company's representative in Paris, joins Tapernoux.

Coupan's organization was formed, he explained, out of opposition to the alleged rule of the Chambre by Pathe-Natan.

"We embrace," he said, "every branch of the French industry from studio workers to exhibitors and distributors. Three thousand independent theatres, banded together in their own organization and headed by Rene Lussiez, are affiliated.

"We are opposing the French quota, believe American pictures should have freer play in France and, therefore, are cooperating with Harold Smith, Paris representative of the Hays organization, to that end. Henri Clerc, a French deputy and long in the Treasury Department, is president of the Federation, which seeks friendly relations with the American trade, a better cost system to govern the branches of the French industry and an increase in theatre attendance from the 9 per cent of the population which now attends."

Clerc, Lussiez and Paul Charles Biver, general secretary, were mentioned as the leading lights of the organization.

Tapernoux plans direct distribution for the 12 talkers he plans to market in this country.

Velez-Rowland Case May Set Precedent

(*Continued from page* 1)

case involving production talent shall be heard by it or referred to the M. P. Academy for arbitration is scheduled for Thursday.

The case was brought against Rowland Prod. by Lupe Velez, who charges the company with non-payment of a $5,000 check. Court jurisdiction was invoked through a technicality involving the company's contention that the actress, although holding a contract, never worked in a picture for the company.

More Join Cooperative

Detroit, Aug. 26.—Tom Lancaster, operating the Grande in Delray and the Lancaster, River Rouge, has cast his lot with Ray Moon and has joined the Cooperative Theatres of Michigan, formerly Midstates Theatres.

The booking combine is moving to larger quarters in the Fox Theatre Bldg., new accounts and other additional business necessitating the move, according to Moon.

The eight Sam Brown Theatres are now being booked by the combine.

Meyer on Home Ground

Milwaukee, Aug. 26.—Fred S. Meyer, presidentt of the M.P.T.O. of Wisconsin and Upper Michigan who became ill while attending the convention of the M.P.T.O.A. in California last April, has returned with his wife and daughter, Delphine. Meyer is convalescing and has made no plans as yet for resuming his theatre work.

MOTION PICTURE DAILY'S HOLLYWOOD PREVIEW

"Richest Girl in the World"

(*Radio*)

Hollywood, Aug. 26.—Miriam Hopkins, one of the finer artists, and Joel McCrea, who gives romance a flair of nonchalance, appear in this entertainment that starts as drama, goes to farce and winds up romantic.

The front page idea of the richest girl in the world seeking an eligible husband who wants her for herself alone and not for her money is the kernel of the yarn. The plot has spiral surprise twists of the secretary, Fay Wray, already the wife of Reginald Denny, impersonating the heiress, Miss Hopkins, and getting farcically involved with McCrea and of Miss Hopkins placing obstacle after obstacle in McCrea's path to test his inclinations.

Bill Seiter directed with taste and discrimination from Norman Krasna's screenplay. The production, starting slowly, picks up and delivers in the last two reels. Appointments are lavish and the photography in keeping with them. Besides the principals, the cast includes Henry Stephenson, Beryl Mercer and Burr McIntosh.

From natural interest surrounding the inside life of the world's richest girl and from diverting qualities above mentioned, showmen may expect satisfactory business. Production Code Seal No. 164. Running time, 80 minutes.

"Case of the Howling Dog"

(*Warners*)

Hollywood, Aug. 26.—Typical of the murder mystery formula, but embodying a central plot twist somewhat different and carrying comedy and dovetails, "Case of the Howling Dog" jells as acceptable entertainment.

Lawyer Warren William, by a strange request of Russell Hicks, becomes counsel to Mary Astor, Hick's estranged wife whom William has never met. Miss Astor, having parted with her husband for Gordon Westcott, discovers the latter's philanderings. Westcott is killed. Hicks, having previously complained to William, becomes a suspect, as are others. William, by logical and illogical but entertaining developments that place him in conflict with Grant Mitchell, district attorney, Allen Jenkins, detective sergeant, and Dorothy Tree, Westcott's housekeeper, works out the denouement in the courtroom by aid of his private detectives who secure the dramatic evidence. The denouement leaves the audience wondering who is the real murderer.

Alan Crosland's direction keeps things moving with his people interestingly sympathetic. William Rees' photography is good. The cast carries forth the mystery plot in interesting vein with William the standout.

With crime yarns apparently still in demand, this should appease the appetites of program patrons. The picture bears Production Seal No. 137 and runs 78 minutes.

Short Subjects

"The Orphan's Benefit"

(*United Artists*)

A hilarious Mickey Mouse that should have any audience in stitches. Mickey holds a benefit for some orphans, and the acts put on are some of the funniest things to ever come from Walt Disney's pen. Donald Duck, who recites, and an adagio team composed of a cow, a mule and a dog steal the show. Running time, 9 mins.

"Hello Sailors"

(*Educational*)

Featuring Tom Patricola. Buster West and Marion Martin, this short should fill in well on any bill. Stock shots of the combined Atlantic and Pacific fleet's visit to New York recently, furnish the backgrounds for most of the scenes. Patricoia and West handle the comedy well and their dancing is above the average. Running time, 18 mins.

"Then Came the Yawn"

(*Educational*)

A hilarious burlesque of the old trailer system of advertising coming product. It should produce chuckles from any audience. Starting out as a typical announcement of a coming picture, it lapses into burlesque titles and scenes. Just long enough to hold one's interest. Running time, 5 mins.

"The Coast of Catalonia"

(*Fox*)

The latest of the Magic Carpet deals with a little known region of Spain, the Catalonian region. Native customs, architecture and dances are featured. The reel winds up with typical shots of Barcelona, capital of Catalan. Many of the town's churches and public buildings are well photographed. Offscreen dialogue accompanies. Running time, 14 mins.

Fox and M-G-M Sell Mayfair; New Twist

(*Continued from page* 1)

Music Hall. By another deal, Walter Reade, operator of the Mayfair, gets whatever M-G-M releases the Capitol does not accept.

The unexpected switch in the Broadway first-run alignment, giving the Mayfair a break in two major programs, means further changes along the Main Stem. It presages fewer independent releases at the Mayfair, a greater dependence by the Roxy on Columbia and Universal, although 16 Gaumont British releases are possibilities there and some from Paramount.

Arthur Mayer, operator of the Rialto, says the rearrangement will not affect him. The Paramount Theatre, under its new policy, is figuring on only 30 pictures a year. The company makes 60. Mayer thus will have offered to him more Paramounts than in the season now closed. If his buying arrangement with the Roxy goes through, it is through this deal that occasional Paramounts will play the Seventh Avenue house.

The Music Hall is committed to play 22 from Fox. That company is selling 56 and "The Cat's Paw" to a total of 57. This makes Reade's possibilities from that source 34 pictures. From M-G-M he figures on about 10, the first to be "Straight Is the Way," which is about to open.

Making 'Kentucky' Shots

Cincinnati, Aug. 26.—Sol. Halperin, chief cameraman for Henry King, is here preparing to visit Covington, Lexington and Louisville, Ky., to shoot scenes on location for "In Old Kentucky." King is expected to arrive early next month to supervise. There is a possibility of Janet Gaynor coming for several scenes, according to James Grady, local Fox manager.

Hollywood, Aug. 26.—Henry King will leave Hollywood Sept. 1 for three weeks in the South on atmospheric shots for his next Fox picture, "One More Spring."

Merle Oberon Cast

Hollywood, Aug. 26. — Merle Oberon, whom Joseph M. Schenck will escort to the altar in about two months, will make her American debut in "Cardinal Richelieu" for 20th Century.

Neilan Beats Schedule

Hollywood, Aug. 26.—Marshall Neilan, directing his first talking picture at Paramount, "The Lemon Drop Kid," brought the opus under the wire four days ahead of schedule.

Teasdale-Menjou Nuptial

Hollywood, Aug. 26. — Verree Teasdale and Adolph Menjou were married here yesterday by Municipal Judge James H. Pope.

Fabian-Stanley Deal Set

Si Fabian's remaining interest in the Stanley, Jersey City, was sold to the Stanley Co., Warner subsidiary, in a transaction closed on Saturday.

Trade Show for "Young"

Mascot will hold a trade showing of "Young and Beautiful," at 10:30 o'clock Wednesday at the Criterion.

The Leading
Daily
Newspaper
of the
Motion
Picture
Industry

MOTION PICTURE DAILY

Alert,
Intelligent
and
Faithful
Service to
the Industry
in All
Branches

VOL. 36. NO. 49 NEW YORK, TUESDAY, AUGUST 28, 1934 TEN CENTS

Code Seal on 23 Features; And 58 Total

27-Day Result from July 24 to Aug. 20

HOLLYWOOD, Aug. 27.—Settling down to a normal routine on the issuing of code certificates after the first hectic eleven days, Production Code Administration placed approval seal on 23 features, 28 shorts and two serials in the 27-day period between July 24 and Aug. 20. This hardly reaches the halfway mark in comparison with the number of films approved during the first two weeks Joseph I. Breen took over the job for the Administration.

Warners, RKO and Columbia head the list of approved features with four each bearing the code seal. Paramount and Universal run a close second with three. M-G-M and Majestic have two, and Fox one.

Columbia leads on approved shorts with nine. Universal chalked up five. M-G-M has four, Warners three and

(*Continued on page* 9)

Retain Medalie to Wage ASCAP Fight

George Z. Medalie, former U. S. District Attorney here and prominent for years as a prosecuting attorney, was selected yesterday by the national exhibitors' legal committee to lead the theatre owners' legal campaign against ASCAP.

The campaign in the courts will involve the pressing of an anti-trust suit as its primary feature. The legal

(*Continued on page* 10)

Ideal in Features; Signs with Hagen

By BRUCE ALLAN

LONDON, Aug. 27.—Ideal Pictures of New York will enter the feature field in the States through a three year contract signed here with Julius Hagen and Twickenham Prod. First on the

(*Continued on page* 10)

So!

New Orleans, Aug. 27.—Clipped from a local ad of the Tudor:

Last Day
"She Was a Lady"

Reorganized Paramount by October 1 Looms Stronger

Paramount Publix reorganization plans are expected to enter the final stages immediately after Labor Day, with continued excellent prospects of a reorganized company by Oct. 1, it was stated on good authority yesterday.

Adolph Zukor is expected back from Hollywood about Sept. 10 to sit in on final reorganization discussions and will remain here until the task is completed.

The final bankruptcy report of Charles D. Hilles, Eugene W. Leake and Charles E. Richardson, Paramount trustees, given to the Federal court here late last week and showing creditors' claims against the company scaled down to $50,600,000 and cash on hand of $15,644,000 as of June 16, with continued profitable operations since, is viewed as giving the final impetus needed to complete the company's plan within three weeks, as expected.

Fees Sought In Paramount Case Fought

Small creditors' groups in Paramount will oppose the petitions for fees and allowances aggregating $721,204 for services in connection with the 14 months of the company bankruptcy, it was learned yesterday.

Bondholders' groups represented by Victor House, Samuel Zirn and Saul E. Rogers indicated they would urge drastic reductions when the petitions are heard before Special Master John E. Joyce at a creditors' meeting, Sept. 18. These groups opposed the petitions for $296,000 of allowances for services during the three and one-

(*Coninued on page* 10)

Majors Are Cited in $425,000 Omaha Suit

OMAHA, Aug. 27.—A suit for $425,000 damages charging all major producers, the Omaha Film Board, the former Publix Iowa, Inc., and Publix Theatres Corp. with conspiring in restraint of trade to prevent him from securing films for his theatre has been filed in U. S. District Court here by Vern S. Brown, Missouri Valley (Ia.) exhibitor. The plaintiff claims the Publix corporations cut him out of product by opening a competing house.

Death Claims Mother Of Four Warner Bros.

Mrs. Benjamin Warner died in Los Angeles at 3 A. M. (Pacific Coast Time) yesterday morning a few hours before the arrival of two of her sons and other members of the family who chartered a special plane in NewYork

(*Continued on page* 12)

Sees General Price Boost On the Way

That a movement which he says is among circuit operators to raise admissions at first runs is the forerunner of "a general price increase throughout the country" this winter was the opinion expressed by Al Lichtman yesterday. The United Artists vice-president asserted that this "in itself will bring about a more healthy condition for the entire industry."

"Within the next few weeks," he added, "theatre conditions throughout the country will show a marked improvement, not only for circuits and

(*Continued on page* 9)

No Price Hike in Cleveland on Way

CLEVELAND, Aug. 27.—No advance in admissions is seen in the immediate future by local exhibitors and circuit owners. The present 44 cent top is expected to remain except when a stage show augments the picture when the admissions go to 60 cents top, including the state 10 per cent tax.

RKO Palace has booked two successive stage shows, Ted Fio Rito and "Broadway." Loew's State will bring

(*Continued on page* 9)

Wanger Back with Para., Producer Now

A deal is practically, but not entirely, set for a return of Walter Wanger, a former production manager, to Paramount but this time as an independent producer.

Wanger is scheduled to make six

(*Coninued on page* 10)

Grosses Take Spurt; Wide Gains Made

Strong Pictures, Cool Weather Do It

Detailed box-office reports from key cities appear on pages 3 and 4 today.

Grosses are on the upturn, telegraphed reports to MOTION PICTURE DAILY from key cities yesterday indicated. While the swing toward better business continues spotty and in ratio with the draw of particular attractions, strong pictures winding up the old and opening attractions launching the new are proving interesting enough to persuade the public to part with its quarters and half dollars. Cooler weather is proving an aid, too.

Typical of the scene in other parts was New York last week. It was a swell week here. "Cleopatra" did a fine $72,000 at the Paramount; "Dames" a real gross of $41,231 at

(*Coninued on page* 10)

Price, Dual Fight Brews in St. Louis

ST. LOUIS, Aug. 27.—Thursday starts a price and dual feature tussle in this city with Fanchon and Marco leaders in the move.

Beginning Aug. 30, admissions of 35 cents and 55 cents at the Missouri, Ambassador and Fox will be cut to 25 cents and 40 cents. All three houses will program two features of three

(*Continued on page* 9)

Faith Is Queried in Fox Theatres Case

An answer questioning the good faith of the involuntary petition for reorganization of Fox Theatres was filed in U. S. District Court here yesterday by three creditors of Fox Theatres.

It opposes the petition for reorganization, alleging that debts of Fox Theatres aggregate $40,000,000 and that

(*Coninued on page* 10)

Runs On and On

Cincinnati, Aug. 27.—Add marquee signs:

The Strand
"Where Sinners Meet."

MOTION PICTURE
DAILY

(Registered U. S. Patent Office)

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Editor-in-Chief and Publisher
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Advertising Manager

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Curran Gets Award At Lehman's Hands

Charles W. Curran of the New York Strand yesterday was presented the Quigley Award for July by Governor Lehman. It was given for his campaign on "Here Comes the Navy."

The ceremony was conducted at the governor's New York home at 820 Park Ave. and in the presence of Gradwell L. Sears and A. W. Smith, Jr., Warner sales managers; Arthur Jeffrey, Irving Windisch, Phil Laufer and Sid Naglar of the Warner publicity department, and Colvin Brown, vice-president of *Quigley Publications.*

In making the presentation the governor said:

"Mr. Curran, I am pleased to present to you on behalf of *Motion Picture Herald* and the committee of judges representing the able showmanship of the motion picture industry this plaque, the Martin Quigley Award for July, for your advertising campaign on Warner Bros. picture 'Here Comes the Navy,' selected as the most meritorious by the judges, of all those submitted to the Managers' Round Table Club during July.

"You are honored, too, as the first New York theatre manager to receive the award in this world-wide competition."

'Dames' Again Held Over

"Dames" starts its third week at the Strand tomorrow. National release of the film starts Sept. 1.

Insiders' Outlook

THE code situation is complicated, unsatisfactory and getting to be very amusing to many. That is, to many when they really say what they're thinking. Many eyes are fixed on Sol Rosenblatt. Many minds are speculating over what he proposes doing about it. Take the clearance and zoning situation. Or don't take it. Nobody else is, so why should you? Modesty is a virtue, but we haven't any. And that permits us to remind you that it was MOTION PICTURE DAILY which tipped off first and many weeks ago that zoning was holding up sales, or vice versa, and that the situation appeared heading toward trouble, much of it. . . .

▼

Distributors' answer to the plaint of Allied members that shorts are now being marketed on a weekly payment plan regardless of the number played, runs like this: "We do it, it is true, but it's all a matter of negotiation. We may sell 52 two-reelers at $10. That's $520. And 52 one-reelers at $5. That's $260 or $780 for the bunch or $15 payable weekly. Flat and regardless of what the exhibitor does about playdates. Some exhibitors want it that way. As long as they do, why not give it to them." Why not if theatremen retain the choice? . . .

▼

"Tablecloth Millionaires" — that gay coterie of magnates who, in the lusty days of the industry's infancy, ate each day at the Astor and kept two waiters busy changing the tablecloths as they scribbled millions, even billions, in pencil deals all over the linens, now have a chapter of that organization in Hollywood, New York may want to know. Daily at lunch a group foregathers at Ray's Delicatessen on La Brea near Wilshire. In a corner, over salami, herring, or cheese cake, the air fills with fancy figures and waitresses keep scurrying for more paper napkins as the boys pencil them. . . .

▼

In the evening the scene changes, however. Being one of the better eating spots in Hollywood, dinner at night and after-preview supper usually find some of the town's epicures partaking of the dishes.

Favorite dishes of some of the film folks are:

MANNY COHEN . . Knadel soup and gedempfte brust.

JOE SCHENCK . . Borsht and blintzes.

ARCHIE MAYO . . Kishke and gefilte fish.

JOE REILLY . . Roast duck and apple strudel.

L. B. MAYER . . Kishke.

AL KAUFMAN . . Gedempfte brust.

EDDIE CANTOR . . Smoked whitefish, borsht and blintzes, potato pancakes.

EDDIE SMALL . . Gefilte fish.

JEAN HARLOW . . Chicken soup and strudel.

NILS ASTHER . . Wieners and sauerkraut.

IRVING CUMMINGS . . Calf's liver and onions.

MERVYN LEROY . . Chicken and noodles.

FANNY BRICE . . Herring, blintzes, strudel.

▼

First issue of "Dumb Bell Letters," assembled by Juliet Lowell who authored the amusing book of the same name, got a helluva reaction from Music Hall audiences last week. They rollicked and they rolled, so funny were the purported facsimiles of communications sent by the intelligent public to manufacturers of this and that. Hollywood ought to study them for a slant on the populace it is trying to serve. Then watch the mentality of future product sink like a plumb line. . . .

▼

Now that Police Commissioner O'Ryan has held only two pickets may do their stuff before any given theatre, there will be no need for Governor Lehman to call out the troops. Or for the I.T.O.A. to sizzle under its high blood pressure. . . . Al Lichtman's deal with B. & K. for 25 cent minimum admissions covers only three of U. A.'s 21. What are the three to be? . . . Have you noticed the number of independent companies about to blossom on the coast? . . . The perennial theme song, "Merger, I Love You," is in the air. . . .

KANN

Fox Loses 1⅛ on Big Board

	High	Low	Close	Net Change	Sales
Columbia Pictures, vtc	30¼	30¼	30¼	— ½	100
Consolidated Film Industries	3	3	3	.....	100
Consolidated Film Industries, pfd	14⅛	14⅛	14⅛	— ¼	100
Eastman Kodak	100	100	100	—1	300
Eastman Kodak, pfd	140	139¾	139¾	— ¼	100
Fox Film "A"	12¾	11¼	11¼	—1⅛	700
Loew's, Inc.	28¾	28	28⅝	— ¼	1,400
Paramount Publix	3⅞	3¾	3¾	— ⅛	700
Pathe Exchange	1¼	1⅛	1¼	+ ⅛	3,300
Pathe Exchange "A"	15½	15½	15½	.....	100
RKO	2⅝	2¼	2¼	— ¼	400
Warner Bros.	4¾	4⅝	4⅝	— ⅛	1,100

Technicolor Off ¼ on Curb

	High	Low	Close	Net Change	Sales
Technicolor	13	13	13	— ¼	100

Loew Bonds Gain ½

	High	Low	Close	Net Change	Sales
General Theatre Equipment 6s '40	6½	6⅛	6⅛	— ⅝	13
General Theatre Equipment 6s '40, ctf	6⅜	6⅜	6⅜	— ½	10
Loew's 6s '41, ww deb rights	101¾	101½	101¾	+ ½	3
Paramount F. L. 6s '47	48	48	48	— ¾	5
Paramount Publix 5½s '50	48	48	48	.....	2
Pathe 7s '37, ww	98⅞	98⅝	98⅝	⅛	7
Warner Bros. 6s '39, wd	56	56	56	— ¼	1

Coast Unit Formed; Agfa Denies Tieup

HOLLYWOOD, Aug. 27.—Adventure Pictures is being organized here to produce 26 features and five serials. Chief production executive will be Bud Barsky, who has been appointed to the post by Arthur Weiss, representative of an unnamed eastern financial group, said to be aligned with Agfa, which was reported here late last week as investing $2,000,000 in the venture. The company is taking over the International Studio in Hollywood.

Phil Goldstone is also reported connected financially with the deal.

Charles Cannon, New York manager of Agfa Ansco, maintained yesterday he personally had no knowledge of any financial connection between his company and the new producing enterprise. He asserted his firm was merely supplying Adventure Pictures with raw film, suggesting that King Charney, Agfa agent on the coast, might know of arrangements made to finance.

Franklin's Second Fixed

Following "Gambling" which Harold B. Franklin will make for Fox, his second will be "Three Sisters," based on a musical comedy by Jerome Kern and Oscar Hammerstein, II. It will be produced in the east.

Efrus in New Office

Sam Efrus has opened New York offices in the RKO Bldg., for distribution of a series of eight Peerless Pictures. The first is "The House of Danger."

ITOA Directors to Meet

Directors of the I. T. O. A. meet today to discuss various problems preparatory to the general meeting tomorrow at the Astor.

Kornblum a Benedict

Herman Kornblum, partner with Louis Geller in the Park, Newark, was married yesterday to Lillian Andrus, who was Miss America of 1929.

"Widow" Set for Astor

"The Merry Widow" debuts at the Astor either Sept. 12 or Sept. 19.

"Dames" Does $12,500; Twin Cities Lead

MINNEAPOLIS, Aug. 27.—"Dames" was the big noise in the Twin Cities last week and left all competitive attractions behind. At the State here the gross went $1,000 over normal to $6,500 and at the Paramount, St. Paul, the figures were $6,000 gross, $5,500 average.

Five Minneapolis houses generally taking $18,500 grossed $20,000 while four in St. Paul usually getting $14,000 took $15,000.

Minneapolis:

Week Ending Aug. 23:

"STAMBOUL QUEST" (M-G-M)
CENTURY—(1,000), 25c-40c, 7 days: **Gross:** $4,000. (Average, $4,000)

"SHE LEARNED ABOUT SAILORS" (Fox)
LYRIC—(1,000), 20c-25c, 7 days. **Gross:** $1,500. (Average, $1,500)

Week Ending Aug. 24:

"LADY WILLING" (Col.)
RKO ORPHEUM—(2,900), 25c-50c, 4 days. **Gross:** $2,700. (Average for week, $5,500)

"BLIND DATE" (Col.)
RKO ORPHEUM—(2,900), 25c-50c, 3 days. **Gross:** $2,800. (Average for week, $5,500)

"DAMES" (Warners)
STATE—(2,300), 25c-40c, 7 days. **Gross:** $6,500. (Average, $5,500)

"HALSINGAR" (Swedish)
WORLD—(400), 25c-75c, 7 days. **Gross:** $2,500. (Average, $2,000)

St. Paul:

Week Ending Aug. 23:

"DAMES" (Warners)
PARAMOUNT—(2,300), 25c-40c, 7 days. **Gross:** $6,000. (Average, $5,500)

"STAMBOUL QUEST" (M-G-M)
RIVIERA—(1,200), 25c-40c, 7 days. **Gross:** $3,500. (Average, $3,500)

"THE LADY IS WILLING" (Col.)
RKO ORPHEUM—(2,000), 20c-40c, 7 days. **Gross:** $4,000. (Average, $4,000)

"CHARLIE CHAN'S COURAGE" (Fox)
TOWER—(1,000), 15c-25c, 7 days. **Gross:** $2,000. (Average, $1,500)

Providence Gains After Bad Month

PROVIDENCE, Aug. 27.—Exhibitors are jubilant over a pickup in business after a disastrous month. Two pictures to play here last week were well over par.

"Treasure Island" at Loew's State caught $15,000, or $3,000 over the average figure, while Bing Crosby's yodelling annexed $8,500 for the Strand in "She Loves Me Not." The average take for this theatre is $6,500. Strand is holding the picture for a second week, a novelty these days.

Total grosses in first run houses, $36,600. Average, $33,500.

Estimated takings for the week ending Aug. 2:

"SHE LOVES ME NOT" (Para.)
"HERE COMES THE GROOM" (Para.)
STRAND—(2,300), 15c-40c, 7 days. **Gross:** $8,500. (Average, $6,500)

"TREASURE ISLAND" (M-G-M)
LOEW'S STATE—(3,800), 15c-40c, 7 days. Buck and Bubbles on stage. **Gross:** $15,000. (Average, $12,000)

"THE MAN WITH TWO FACES" (W.B.)
"FRIENDS OF MR. SWEENEY" (W. B.)
MAJESTIC—(2,400), 15c-40c, 7 days. **Gross:** $7,000. (Average, $7,000)

"HAT, COAT AND GLOVE" (RKO)
"THEIR BIG MOMENT" (Univ.)
RKO ALBEE—(2,300), 15c-40c, 7 days. **Gross:** $5,000. (Average, $7,000)

"OF HUMAN BONDAGE" (RKO)
"THE LOUDSPEAKER" (Mono.)
RKO VICTORY—(1,600), 10c-25c, 4 days. **Gross:** $1,100. (Average, $1,000)

Seattle Not Good; Lloyd Film Leader

SEATTLE, Aug. 27. — "The Cat's Paw" was only first run attraction to hit and better average last week. It gave the Fifth Avenue $7,300, or $300 ahead of parity. Not much overage, but still the best performance in town, all factors considered.

"Bulldog Drummond Strikes Back" came withtin $500 of normal business at the Music Hall, but, times being what they are, it was moved to the Music Box for a second week. Hot weather is what took its toll all over the city.

Total first run business was $29,100. This compares with average first run total business of $31,000.

Estimated takings for the week ending Aug. 25:

"THEIR BIG MOMENT" (Univ.)
"RETURN OF THE TERROR" (W. B.)
BLUE MOUSE—(950), 15c-25c-35c, 7 days. **Gross:** $3,200. (Average, $3,500)

"THE CAT'S PAW" (Fox)
FIFTH AVENUE—(2,450), 25c-40c-55c, 7 days. **Gross:** $7,300. (Average, $7,000)

"COUNTESS OF MONTE CRISTO" (Col.)
"MAN FROM UTAH" (Mono)
LIBERTY—(1,800), 10c-15c-25c, 7 days. **Gross:** $3,500. (Average, $4,000)

"ONE MORE RIVER" (Univ.)
MUSIC BOX—(950), 25c-40c-55c, 7 days. **Gross:** $3,900. (Average, $4,000)

"BULLDOG DRUMMOND STRIKES BACK" (U. A.)
MUSIC HALL—(2,275), 25c-40c-55c, 7 days. **Gross:** $6,000. (Average, $6,500)

"GRAND CANARY" (Fox)
PARAMOUNT—(3,050), 25c-35c, 7 days. Vaudeville headed by Television demonstration. **Gross:** $5,200. (Average, $6,000)

Crosby Outraces Others in Omaha

OMAHA, Aug. 27.—The Orpheum cracked its fourth house record this summer with "She Loves Me Not" running to $11,200, or $3,700 ahead of parity. "Embarrassing Moments" was its running mate in celluloid.

The Brandeis did standee trade with "The Man with Two Faces" to a total of $5,200. This is the theatre's best gross since last April. The World was the only first run at average with "One More River" and "Paris Interlude."

Autumnal coolness has pepped up patrons who are not coming now for relief via refrigeration, but to see the shows.

Total first run grosses were $20,400. Average, in the aggregate, $15,500.

Estimated takings:

Week Ending Aug. 22:

"ONE MORE RIVER" (Univ.)
"PARIS INTERLUDE" (M-G-M)
WORLD—(2,200), 25c-40c, 7 days. **Gross:** $4,000. (Average, $4,000)

Week Ending Aug. 23:

"THE MAN WITH TWO FACES" (W.B.)
"BLIND DATE" (Col.)
BRANDEIS—(1,500), 20c-25c-35c, 7 days. **Gross:** $5,200. (Average, $4,000)

"SHE LOVES ME NOT" (Para.))
"EMBARRASSING MOMENTS" (Univ.)
ORPHEUM—(3,000), 25c-40c, 7 days. **Gross:** $11,200. (Average, $7,500)

Sheehan on "Follies"

HOLLYWOOD, Aug. 27.—Present setup for the second version of the George White "Scandals" at Fox will have Winfield Sheehan as producer. Robert Kane produced the last "Scandals."

With Trimmings

Kansas City, Aug. 27.—Barney Joffee, managing director of the Tower, made the town rose-conscious last week. Dubbing his stage show "Rose Garden Revue," Joffee had his chorus tossing red and white roses into the audience while the ventilators spread a rose fragrance through the house.

Weather Aids Los Angeles; "Island" Top

LOS ANGELES, Aug. 27.—The temperature in these parts dropped to normal last week and left a more encouraging mark on box-office receipts, although gains were fragmentary.

"Treasure Island" took the lead spot with $20,000 at Loew's State, as compared with a $14,000 normal. "The Scarlet Empress" at the Paramount ended at $17,890 when $18,000 is average. "The Lady Is Willing" at the RKO and "The Man With Two Faces" at the Warner Hollywood dipped under par, but the third week of "Here Comes the Navy"—$10,000 at Warner's Downtown—was O. K.

Total first run business ran to $68,690, with Grauman's Chinese and the Filmarte dark.

Estimated takings for the week ending Aug. 22:

"TREASURE ISLAND" (M-G-M)
LOEW'S STATE—(2,413), 30c-55c, 7 days. Short, Pete Smith's "Goofy Movies," news. **Gross:** $20,000. (Average, $14,000.)

"THE SCARLET EMPRESS" (Para.)
PARAMOUNT—(3,595), 30c-55c, 7 days. On the stage: Fanchon & Marco revue; short, news. **Gross:** $17,890. (Average, $18,000.)

"THE LADY IS WILLING" (Col.)
RKO—(2,700), 25c-40c, 7 days. News, shorts. **Gross:** $4,000. (Average, $8,000.)

"THE MAN WITH TWO FACES" (W. B.)
WARNER BROS. (HOLLYWOOD)—(3,000), 25c-55c, 7 days. Shorts, news. **Gross:** $12,000. (Average, $14,000.)

"HERE COMES THE NAVY" (W. B.)
WARNER BROS. (DOWNTOWN)—(3,400), 25c-55c, 7 days, 3rd week. Shorts, news. **Gross:** $10,000. (Average, $12,000.)

"GRAND CANARY" (Fox)
"ROMANCE IN THE RAIN" (Univ.)
PANTAGES—(3,000), 25c-40c, 7 days. News, short. **Gross:** $4,800. (Average, $3,200.)

Boston Cheerier; "Dames" Is No. 1

BOSTON, Aug. 27.—A good week for theatres here. Receipts continued to show a steady improvement with the first run total only $3,000 under their average, $94,000.

"Dames" at the Metropolitan gave that house its best week in many, reaching $28,000, which is house par. Joan Lowell in person helped boost the Boston to an average $16,000. "Treasure Island" went into a second week at Loew's State, giving the house $31,000 for the combined 14 days.

Estimated takings for the week ending Aug. 23:

"ADVENTURE GIRL" (Radio)
"THEIR BIG MOMENT" (Radio)
BOSTON—(2,900), 25c-50c, 7 days. Joan

(*Continued on page 4*)

Philadelphia Grosses Show Steady Gain

PHILADELPHIA, Aug. 27.—Slow, but steady, pickup of general business in the last two weeks has been an encouraging harbinger for a decent fall trade for local theatres. Strong offerings of the period, with "The Cat's Paw" and "Dames" on the new program, have stimulated new interest.

Outstanding last week was "Cleopatra," nipping off $14,000 at the Boyd to be retained for a second week. "The World Moves On," playing its second week at the Fox also took in a neat $14,500. "Treasure Island" was a little under par, but built steadily. M-G-M looks for good neighborhood response from this "all-family" picture.

Total receipts, $60,500. Average, $59,900.

Estimated grosses for the week ending Aug. 23:

"OLD-FASHIONED WAY" (Para.)
(Second Run)
ARCADIA—(600), 25c-40c-50c, 6 days. **Gross:** $2,100. (Average, $2,400)

"CLEOPATRA" (Para.)
BOYD—(2,400), 40c-55c-65c, 6 days. **Gross:** $14,000. (Average, $12,000)

"HOUSE WIFE" (F. N.)
EARLE—(2,000), 40c-55c-65c, 6 days. Stage show with Ina Ray Hutton and Her Melodeers. **Gross:** $12,000. (Average, $12,000)

"THE WORLD MOVES ON" (Fox)
FOX—(3,000), 30c-40c-60c, 6 days, 2nd week. Stage show with Phil Harris and orchestra, 3 Ambassadors and Leah Ray. **Gross;** $14,500. (Average, $12,000)

"LET'S TALK IT OVER" (Univ.)
KARLTON—(1,000), 30c-40c-50c, 6 days. **Gross:** $2,200. (Average, $3,500)

"TREASURE ISLAND" (M-G-M)
STANLEY—(3,700), 40c-55c-65c, 6 days. **Gross:** $10,500. (Average, $12,000)

"DEFENSE RESTS" (Columbia)
STANTON—(1,700), 30c-40c-55c, 6 days. **Gross:** $5,200. (Average, $6,000)

Denver Trade Soars; Best in Long Time

DENVER, Aug. 27.—The best theatre week Denver has had in months has just closed. Ringling Bros. and the Barnum and Bailey circus played to 50,000 admissions in four performances, but the weather cooled off sufficiently to keep theatres crowded.

The Aladdin did $5,500, or $3,000 over average with "The Last Gentleman" and so holds for a second week. "Ladies Should Listen" sagged at the Denham and was pulled after the sixth day to clear for "Cleopatra." "Dames" went $3,500 over average to $10,500 at the Denver and "Grand Canary," $2,000 above to $8,000 at the Orpheum.

Total first run business was $29,000. Average, $20,500. Estimated takings for the week ending Thursday night:

"THE LAST GENTLEMAN" (U. A.)
ALADDIN—(1,500), 25c-35c-50c, 7 days. **Gross:** $5,500. (Average, $2,500)

"LADIES SHOULD LISTEN" (Para.)
DENHAM—(1,500), 25c-35c-50c, 6 days. **Gross:** $3,500. (Average, $4,000)

"DAMES" (W.B.)
DENVER—(2,500), 25c-35c-50c, 7 days. **Gross:** $10,500. (Average, $7,000)

"GRAND CANARY" (Fox)
ORPHEUM—(2,600), 25c-35c-50c, 7 days. **Gross:** $8,000. (Average, $6,000)

"PARIS INTERLUDE" (M-G-M)
PARAMOUNT—(2,000), 25c-40c, 4 days. **Gross:** $800.

"SING AND LIKE IT" (RKO)
"LET'S TRY AGAIN" (RKO)
PARAMOUNT—(2,000), 25c-40c, 3 days. **Gross:** $700. (Average for the week, $2,000)

$21,000 for 'Island' Tops Chicago List

CHICAGO, Aug. 27.—The Loop's heaviest draw last week turned out to be "Treasure Island" at the small (1,591 seat) Roosevelt where the picture nabbed $21,000. This is $10,000 over parity, something to raise eyebrows over and the best gross in that house this year.

"The Affairs of Cellini" likewise was strong at $20,000, or $3,000 over average at the United Artists. The Palace did some suffering with "The Lady Is Willing" and its usual vaudeville show at $15,000 which was $7,000 under the average mark. George Jessel's second week at the Oriental helped "Operator 13" over the hurdles into $18,500 as compared with a $15,000 average for that theatre. The Hilton Siamese Twins pushed the State-Lake to $16,500, or $1,500 over average. The Chicago, with "Man with Two Faces" and Morton Downey ended at $42,000. Average there is $34,600 and so it was quite a week, helped all around by the crowds at the fair.

Total first run business was $123,000. Average: $114,600.

Estimated takings for weeks indicated:

"MAN WITH TWO FACES" (F.N.)
CHICAGO—(4,000), 35c-50c-68c, 7 days. Morton Downey in person and stage production. **Gross:** $42,000. (Average, $34,600) First week ended Aug. 23.

"OPERATOR 13" (M-G-M)
ORIENTAL — (3,940), 25c-40c, 7 days. George Jessel heading stage show. **Gross:** $18,500. (Average, $15,000) Return loop week ended Aug. 23.

"AFFAIRS OF CELLINI" (U.A.)
UNITED ARTISTS—(1,700), 30c-40c-60c, 7 days. **Gross:** $20,000. (Average, $17,000) First week ended Aug. 24.

"LADY IS WILLNG" (Columbia)
PALACE—(2,509), 25c-35c-50c, 7 days. Jane Froman, Patricia Bowman, Johnny Perkins on stage. **Gross:** $15,000. (Average, $22,000) First week ended Aug. 23.

"TREASURE ISLAND" (M-G-M)
ROOSEVELT—(1,591), 25c-35c-50c, 7 days. **Gross:** $21,000. (Average, $11,000) First week ended Aug. 24.

"LET'S TRY AGAIN" (RKO)
STATE-LAKE — (2,776), 20c-25c-35c, 7 days. Hilton Siamese Twins, Jackie Heller, Mells, Kirk & Howard on stage. **Gross:** $16,500. (Average, $15,000) First week ended Aug. 25.

Boston Cheerier; "Dames" Is No. 1

(*Continued from page 3*)

Lowell in person. **Gross:** $16,000. (Average, $16,000)

"SHE WAS A LADY" (Fox)
"CRIME WITHOUT PASSION" (Para.)
FENWAY—(1,800), 30c-50c, 7 days. **Gross:** $9,000 (Average, $9,000)

"ROMANCE IN THE RAIN" (Univ.)
KEITH'S—(3,500), 30c-65c, 7 days. **Gross:** $15,000. (Average, $16,000)

"TREASURE ISLAND" (M-G-M)
LOEW'S STATE—(3,700), 35c-50c, 7 days, 2nd week. **Gross:** $15,000. (Average, $16,000)

"DAMES" (Warners)
METROPOLITAN—(4,350), 30c-65c, 7 days. Count Berni Vici and company in "Spices of 1934." **Gross:** $28,000. (Average, $28,000)

"SHE WAS A LADY" (Fox)
"CRIME WITHOUT PASSION" (Para.)
PARAMOUNT—(1,800), 30c-50c, 7 days. **Gross:** $8,000. (Average, $9,000)

"Peck" Smashes Record

SANTA ANNA, Cal., Aug. 27.—"Peck's Bad Boy" broke all opening day's records at the Broadway here.

Cleveland 40% to Good; "Island" Knockout There

CLEVELAND, Aug. 27.—Cool weather, very little outside competition and popular screen fare boosted downtown grosses practically 40% over average. "Treasure Island" proved a knockout at Loew's State grossing $20,000 as against an average of $10,000.

"The Man With Two Faces" went to $8,000, or $3,000 above the regular intake at Warner's Hippodrome. RKO Palace and Loew's Stillman held to about average.

Total gross for week was $41,500. Average: $29,000.

Estimated takings for the week ending Aug. 24:

"MAN WITH TWO FACES" (F.N.)
WARNER'S HIPPODROME — (3,800), 30c-35c-44c, 7 days. **Gross:** $8,000. (Average, $5,000)

"LADY IS WILLING" (Columbia)
RKO PALACE—(3,100), 30c-35c-44c, 7 days. **Gross:** $9,500. (Average, $10,000)

"TREASURE ISLAND" (M-G-M)
LOEW'S STATE—(3,400), 30c-35c-40c, 7 days. **Gross:** $20,000. (Average, $10,000)

"NOTORIOUS SOPHIE LANG" (Para.)
LOEW'S STILLMAN—(1,900), 20c-30c, 35c-40c, 7 days. **Gross:** $4,000. (Average, $4,000)

"Dames" at $6,300 Leads Okla. City

OKLAHOMA CITY, Aug. 27.—"Dames" went into the lead and kept it last week at $2,300 over and above an average $4,000 weekly take at the Warner. It was a pretty good week, here despite general summer doldrums which prevailed.

Total first run business was $16,900. The average is $13,500.

Estimated takings for the week ending Aug. 25:

TREASURE ISLAND" (M-G-M)
CRITERION—(1,700), 10c-20c-36c-41c-56c, 7 days. **Gross:** $5,500. (Average, $5,000)

"DAMES" (Warner)
MIDWEST — (1,500), 10c-26c-36c-56c, 7 days. **Gross:** $6,300. (Average, $4,000)

"BORN TO BE BAD" (U.A.)
CAPITOL—(1,200), 10c-20c-26c-36c-41c, 7 days. **Gross:** $2,100. (Average, $2,500)

"DEFENSE RESTS" (Columbia)
LIBERTY—(1,500), 10c-15c-26c-36c, 4 days. (Stage show.) **Gross:** $2,000. (Average week, $2,000)

"RETURN OF THE TERROR" (Warner)
LIBERTY — (1,500), 10c-15c-26c-36c, 3 days. **Gross:** $1,000. (Average week $2,000)

"Island" Wow in Pittsburgh Town

PITTSBURGH, Aug. 27.—"Treasure Island" was the big and practically only noise here last week. It did around $19,000 at the Penn, the best here all summer, with the kids flocking in droves to celebrate the next to last week of their summer vacation.

Nothing else had a chance. At the Stanley, "Housewife" had trouble getting $6,000, which was considerably below par, while at the Warner, "The Personality Kid" and "Hat, Coat and Glove" did only around $4,800.

Total grosses in three first-run houses were $29,800. Average is $26,000.

Estimated takings for the week ending Aug. 23:

"TREASURE ISLAND" (M-G-M)
PENN—(3,300), 25c-50c, 6 days. **Gross:** **$19,000.**. (Average, $12,000)

"HOUSEWIFE" (Warners)
STANLEY — (3,600), 25c-50c, 6 days. **Gross:** $6,000. (Average, $9,000)

"PERSONALITY KID" (Warners)
"HAT, COAT AND GLOVE" (RKO)
WARNER—(2,000), 25c-40c, 6 days. **Gross:** $4,800. (Average $5,000)

Washington Shows Pickup; "Eyre" Hands Top a Record

WASHINGTON, Aug. 27.—Grosses took a definite upturn last week when an estimated total of $69,800 was taken on a week of uniformly good shows.

Most spectacular take was that at the RKO-Keith's where "Jane Eyre" took $8,400 to set an all-time record for an independent picture at that house. It was the first Monogram to be booked there, too.

Loew's Fox resumed its top position in the Capital score with an above-average $21,400 for "Hideout" and the second annual edition of the All-Washington Revue, "Going Native," with Arthur Godfrey, CBS announcer, as M. C. The picture was only tepidly received, but the stage show garnered encomiums of praise. Carefully selected from the city's better amateur-professionals and trained by Gene Ford, Loew production man, the company of 45 was the ace attraction.

"Treasure Island" took Loew's Palace well over the average, to a gross of $17,200. It stays for a second week. The Metropolitan went above the average on a return engagement of "Here Comes the Navy" to a gross of $4,800.

Below average takes at the Earle and Columbia brought the total gross to only $69,800, only $1,400 under the average.

Estimated takings, exclusive of tax, for the week ending Aug. 23:

"MAN WITH TWO FACES" (F.N.)
EARLE—(2,218), 25c-77c, 7 days. Stage: Lew Druthers & Jean & Joan, Mason & Yvonne, Bert Rome & John Rand, California Collegians. **Gross:** $15,400. (Average, $17,600)

"CHARLIE CHAN'S COURAGE" (Fox)
LOEW'S COLUMBIA—(1,265), 25c-40c, 7 days. **Gross:** $2,600. (Average, $3,100)

"HIDEOUT" (M-G-M)
LOEW'S FOX—(3,434), 25c-66c, 7 days. Stage: second annual All-Washington Revue, "Going Native," with Arthur Godfrey, m.c., and local cast of 45. **Gross:** $21,400. (Average, $20,500)

"TREASURE ISLAND" (M-G-M)
LOEW'S PALACE—(2,390). 35c-77c, 7 days. **Gross:** $17,200. (Average, $14,500)

"HERE COMES THE NAVY" (Warners)
METROPOLITAN — (1,591), 25c-40c, 7 days (return engagement). **Gross:** $4,800. (Average, $4,100)

"JANE EYRE" (Monogram)
RKO-KEITH'S—(1,830), 25c-55c, 7 days. **Gross:** $8,400. (Average, $11,400)

'Loves Me Not' $4,500 Over 'Frisco Normal

SAN FRANCISCO, Aug. 27.—Once again the Warfield walked away with the town on two counts: top money and the best box-office performance, all factors considered, with "She Loves Me Not." The picture ended at $23,500. This was $4,500 over average, and led to a switch to the St. Francis for an extended run.

"The House of Rothschild" held up at the United Artists in its third week at $8,000, but the Golden Gate, Fox and St. Francis went under normal takes.

Total first run business was $63,500. Average for the six reporting first runs is $67,000.

Estimated takings:

Week Ending Aug. 21:

"ROMANCE IN RAIN" (Univ.)
GOLDEN GATE—(2,800), 25c-35c-40c, 7 days, stage, band. **Gross:** $12,000. (Average, $13,000)

Week Ending Aug. 22:

"MOONSTONE" (Monogram)
"CITY PARK" (Chesterfield)
FOX—(4,600), 10c-15c-25c, 7 days. **Gross:** $5,000. (Average, $7,000)

"MURDER IN PRIVATE CAR" (M-G-M)
"LADIES SHOULD LISTEN" (Para.)
PARAMOUNT—(2,670), 15c-35c-40c-65c, 7 days. **Gross:** $10,000. (Average, $12,000)

"HOUSEWIFE" (Warners)
"PURSUED" (Fox)
ST. FRANCIS—(1,400), 15c-25c-40c-65c, 7 days. **Gross:** $5,000. (Average, $8,000)

"SHE LOVES ME NOT" (Para.)
WARFIELD—(2,700), 25c-35c-55c-65c, 7 days. Stage, vaudeville. **Gross:** $23,500. (Average, $19,000)

Week Ending Aug. 24:

"HOUSE OF ROTHSCHILD" (U.A.)
UNITED ARTISTS—(1,200), 15c-35c-55c, 7 days, third week. **Gross:** $8,000. (Average, $8,000)

Grosses Peppier In Montreal Houses

MONTREAL, Aug. 27.—Theatre business received stimulation last week with the return of both cool weather and the summer-camping contingent. During the week there was a second week of "Wonder Bar" at the Palace, while "Bulldog Drummond Strikes Back" was good enough at the Princess for a hold-over after a take of $8,000 or well over par. These extended runs are signs of good business. Incidentally, the Imperial, picked up to $5,000 on a revival of "Emma" and vaudeville.

Total business was $34,000. Average is $43,000.

Estimated takings for the week ending Aug. 25:

"BLUE DANUBE NIGHTS" (British)
"I GIVE MY LOVE" (Univ.)
CAPITOL—(2,547), 25c-35c-40c-50c-60c, 7 days. **Gross:** $8,000. (Average, $9,000)

"EMMA" (M-G-M)
IMPERIAL—(1,914), 25c-40c-50c, 7 days. Vaudeville: Archie Robbins; Six Dancing Debutantes; Bill and Lillian Kaufman; Neil, Carney & Long; Lee Shelley. **Gross:** $5,000. (Average, $6,500)

"MURDER IN PRIVATE CAR" (M-G-M)
"ALL MEN ARE ENEMIES" (Fox)
LOEW'S — (3,115), 25c-35c-50c-65c, 7 days. **Gross:** $7,000. (Average, $10,500)

"WONDER BAR" (F.N.)
"WE'RE RICH AGAIN" (RKO)
PALACE—(2,600), 25c-35c-50c-60c-75c, 7 days. **Gross:** $6,000. (Average, $11,000)

"BULLDOG DRUMMOND STRIKES BACK" (U.A.)
"HIS GREATEST GAMBLE" (RKO)
PRINCESS — (2,272), 25c-35c-50c-65c, 7 days. **Gross:** $8,000. (Average, $6,000)

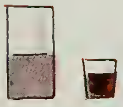
"WHAT'S THE EXCUSE TONIGHT LEO D-A-R-L-I-N-G!"

This was for "Thin Man"

For "Riptide"

This was for "Dancing Lady"

For "Viva Villa"



This was for "Sadie McKee"

For "Manhattan Melodrama"

For "Men in White"

This was for "Tarzan and His Mate"

For "Operator 13"

For "Girl from Missouri"

"Honest, Mama, I just had to bust out . . . the box-office reports started coming through on 'Treasure Island' right on the high heels of that 'Girl from Missouri' . . . what a grand and glorious feeling . . .! . . . So the boys started knocking 'em over for dear old M-G-M . . ."

"...It's the same old story Leo . . . go on, a-n-g-e-l! you fascinate me!"

"You see, Mama, the trouble was that we had so many things to celebrate . . . we couldn't neglect the 'Riptides' and the 'Dancing

For my national campaigns in 40 magazines, biggest in film history

For the preview on "Barretts of Wimpole Street"

For my billboard campaign (8000 stands) biggest in film history

For the preview of "Chained"

For the good news about "Merry Widow"

For "Hide-out" by the makers of "Thin Man"

This was for "David Copperfield" My pride and joy!

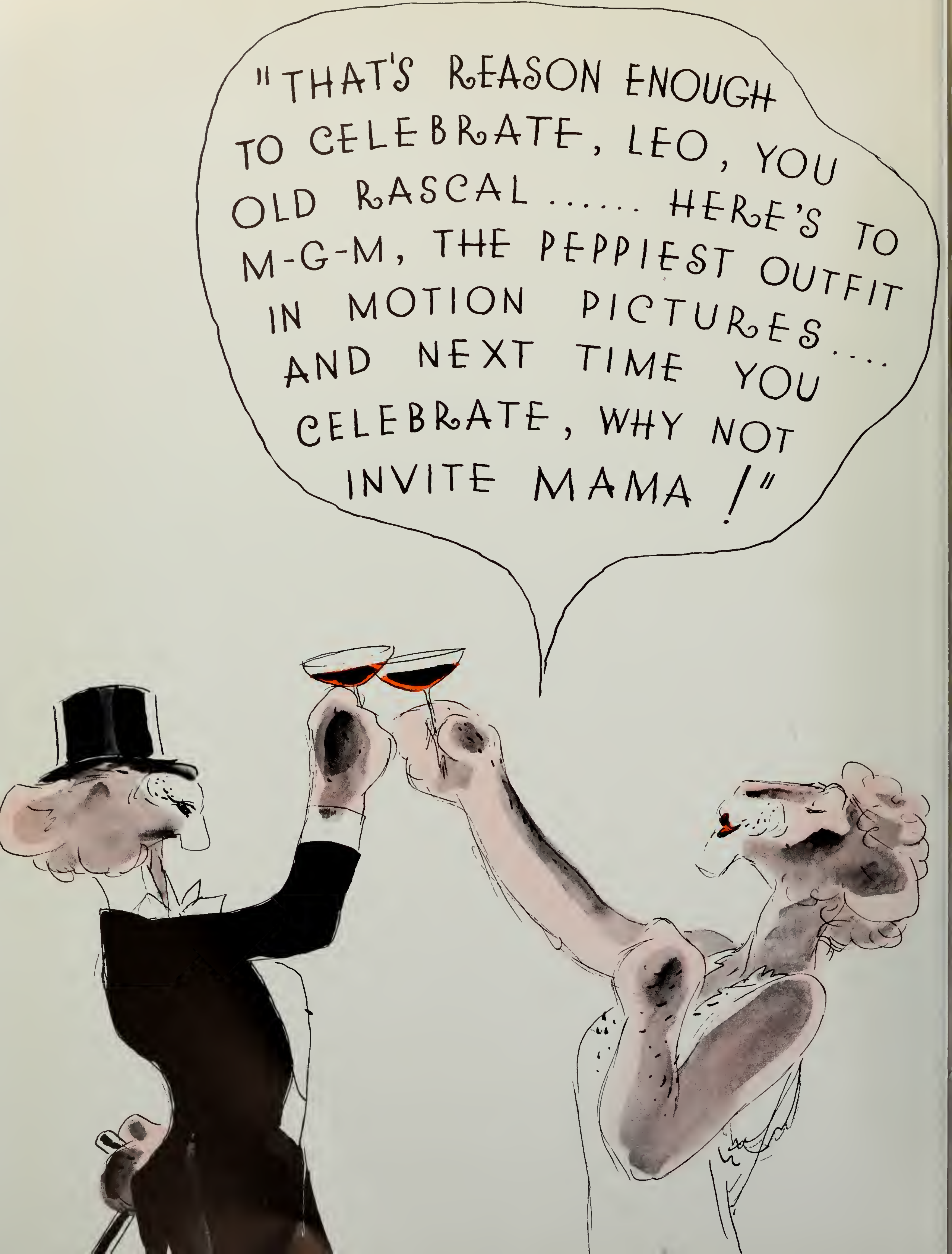
And this to the showmen who march forward with me!

Ladys' of the past months...and there was 'Thin Man', 'Viva Villa', 'Men in White' and all the others."

"I can see that you didn't skip anything, my sweet!"

"Positively not, Mama... and the boys got around to my big campaigns in national magazines and on the billboards ...and we drank to the big, new-season hits just previewed on the coast...'Barretts of Wimpole Street', 'The Merry Widow', 'Chained'...and many a toast to my exhibitor pals who will play them...so you see how it was..."

(Does Leo get socked by Mama? Next page tells all!)


"THAT'S REASON ENOUGH TO CELEBRATE, LEO, YOU OLD RASCAL ...... HERE'S TO M-G-M, THE PEPPIEST OUTFIT IN MOTION PICTURES.... AND NEXT TIME YOU CELEBRATE, WHY NOT INVITE MAMA!"

Code Seal on 23 Features; And 58 Total

(Continued from page 1)

RKO and Celebrity two each. United Artists, Paramount and Fox registered one. Universal also has two serials on the list.

Columbia

(*Features*)

"The Lady Is Willing," "Among the Missing," "Girl in Danger," and "That's Gratitude" (Foy).

(*Shorts*)

"The Great Experiment," "Scrappy's Expedition," "The Bird Man," "The Hotcha Melody," "Krazy's Waterloo," "The Peace Conference," "Hello Hollywood," "Snapshots No. 13" and "Holidayland."

Celebrity

(*Shorts*)

"Aladdin and the Wonderful Lamp" and "The Good Scout."

Fox

(*Features*)

"Caravan."

(*Shorts*)

"Educating Papa."

Majestic

(*Features*)

"The Scarlet Letter" and "She Had to Choose."

M-G-M

(*Features*)

"Hideout" and "Barretts of Wimpole Street."

(*Shorts*)

"One Horse Farmer" (Roach), "Nosed Out" (Roach), "Goofy Movies" No. 7 and "Something Simple."

Paramount

(*Features*)

"Belle of the Nineties," "Mrs. Wiggs of the Cabbage Patch" and "You Belong to Me."

(*Shorts*)

"Baby Blue."

RKO

(*Features*)

"The Fountain," "Richest Girl in the World," "Age of Innocence" and "Down to Their Last Yacht."

(*Shorts*)

"Ocean Swells" and "Clark and McCullough No. 4."

United Artists

(*Shorts*)

"Peculiar Penquin" (Disney).

Universal

(*Features*)

"Gift of Gab," "One More River" and "The Human Side."

(*Shorts*)

"The Dizzy Dwarf," "The Posse Rides," "The Avenging Trail," "The Lost Diamonds," "Ye Happy Pilgrims."

(*Serials*)

"Double Trouble," "The Night Raiders."

Warners

(*Features*)

"Big Hearted Herbert," "Desirable," "Case of the Howling Dog" and "Lost Lady."

(*Shorts*)

"Movie Memories," "Buddy's Circus" and "Miller's Daughter."

Revamp Breen Script

HOLLYWOOD, Aug. 27.—Disappointed in a radio script for the Breen broadcast written by their own staff, NBC has tossed the job back into the laps of the Hays office, with Jack Lewis doing the heavy work. Breen is doing most of the work on his speeches. First broadcast is Wednesday.

73 to Aug. 20

Hollywood, Aug. 27.—Production Code Administration has approved 73 features since the reinforced formula became operative under Joseph I. Breen July 13. Officially, the formula was effective as of July 15.

Seal-stamped are 80 shorts and six serials as of Aug. 20.

This covers code activities in Hollywood. Locally, Vincent Hart, assistant to Breen, has approved approximately 94 features and shorts.

Johnston Asks Indies To Back Film Drive

PORTLAND, Aug. 27.—W. Ray Johnston, Monogram head, conferring with his northwestern representative, J. T. Sheffield, head of the Sheffield Exchange Service, Seattle, advised all independents to stand solidly behind the drive for clean films.

The producer said he looked for more favorable terms in the employment of actors and writers and expressed himself impressed with the business outlook, which, he asserted, gave promise of a pronounced upswing in October.

New Pact for Colman

HOLLYWOOD, Aug. 27.—Ronald Colman was signed to a new long-term contract by Darryl Zanuck of 20th Century today, thereby spiking rumors that he was going back to England. He has one to go under his old contract.

Cal. ITO Planning Show

LOS ANGELES, Aug. 27.—The directors of the I.T.O. of Southern California met today to discuss plans for a midnight show to be staged in the near future to raise funds for the organization.

Elissa Landi Sues

HOLLYWOOD, Aug. 27.—Elissa Landi today filed suit against Joyce Payne and County Clerk Lampton for $1,532.80, charging damage to that extent on an attachment of her bank account last February.

Cooper Reaches Coast

HOLLYWOOD, Aug. 27.—Merian C. Cooper and his wife arrived here today. He will remain here indefinitely to produce two specials a year for Radio.

Breese to Brooklyn

BUFFALO, Aug. 27.—Lou Breese, musical director and conductor of the orchestra at Shea's Buffalo since Jan. 5, will leave shortly to take a similar post at the Brooklyn Paramount.

Back with Fairbanks

HOLLYWOOD, Aug. 27.—Mark Larkin, associated as director of publicity with Mary Pickford and Douglas Fairbanks over a period of years, is handling blurbs for Fairbanks again.

Talkers Cause of Strike

TOKIO, Aug. 27.—Theatre employes went on strike today in protest against talking films.

Sees General Price Boost On the Way

(Continued from page 1)

independent theatre owners, but also for producers."

Lichtman said the price hike which went into effect last week in Kansas City, coupled with moves in Detroit and Chicago for similar action, should suffice "to educate showmen throughout the remainder of the country of how necessary it is for them to increase their admissions."

The movement to raise prices, it was pointed out by him, is offering the very solution of the industry's financial ills suggested in a statement made by him on Aug 9, in which he declared that unless the business did something about admissions it would find itself heading back to "nickelodeon days."

Lichtman's earlier statement, which he said at the time was based on a survey of 800 theatres throughout the country, pointed out that "both producers and exhibitors in most instances are furnishing entertainment at a loss." He asked exhibitors in each territory to unite to boost prices at least a nickel all along the line. This, he added, would result in a weekly increase in revenue of $1,000,000, a sum regarded by him necessary to the industry if it is to go on turning out good pictures.

Price, Dual Fight Brews in St. Louis

(Continued from page 1)

major companies. Because of a product shortage, F. & M. will keep the St. Louis and Grand Central closed for the new season.

Decision of Harry Arthur and Harry Koplar to go back to duals and reduce admissions definitely ends all attempts to end twin bills here. Warners, only holdout on the agreement signed by all other theatres, is charged by F. & M. interests as responsible for the cut price fracas.

In addition to slicing 10 cents from opening until 7 P. M. and evening admissions 15 cents, children will be admitted to the three houses for a dime at any time.

Other downtown and neighborhood houses are expected to join the F. & M. move. Warners are said to have lined up Paramount and RKO in addition to their own pictures for the Shubert Rialto and the Orpheum. The Orpheum is slated to open Sept 15. F. & M. is understood to have Fox, Universal and M-G-M, but this cannot be confirmed.

No Price Hike in Cleveland on Way

(Continued from page 1)

in Ben Bernie the week of Sept. 14th, and plans to offer one big stage attraction a month.

Admission prices will fluctuate with the policy.

RKO Takes More Space

RKO Radio has added to its quarters in the RKO Building.

◀ Purely Personal ▶

GUS EDWARDS, JOE UNGER, A. HAMMERSLAG, JACK SHAPIRO, IRVING CHIDNOFF, LOUIS BLUMENTHAL, LEE OCHS, DAVID LOEW and ARNOLD VAN LEER lunched at the M. P. Club yesterday.

EDWARD GOLDEN and EDWARD FINNEY gave the Criterion the once-over yesterday and saw that everything was okay for the preview this morning on "Girl from the Limberlost."

JOE SEIDELMAN, extravagant fellow, postcards RED KANN to congratulate him on that colonelcy. Says he'll be back in October and now is in England.

PHIL REGAN, who has been in town for a short vacation, is motoring back to Hollywood for a part in Warners' "Sweet Adeline."

ALLYN CARRICK will edit the untitled feature which Topical Pictures has in preparation.

SIDNEY SAMUELSON returns today from Atlantic City and the Allied convention.

DAVE GOULD, dance director for RKO Radio Pictures, is in town from Hollywood.

ONSLOW STEVENS and PHYLLIS COOPER, of Los Angeles, were married in Yuma over the week-end.

FRANK DAZY and AGNES JOHNSON have sold an original, "Two Little People," to Paramount.

EVA LE GALLIENNE and BURNS and ALLEN are due from abroad today. The *Paris* is the ship.

JUAN VIGUIE arrives in San Juan Thursday to start work on Latin Artists' next, as yet untitled.

MORT BLUMENSTOCK returns the end of the week from a two weeks' trip to Philadelphia.

LEON ROSENBLATT got back yesterday from a vacation at Westport, N. Y. He's plenty sunburnt, too.

EDMUND MANTELL celebrated another birthday over the week-end. He's a Bronx circuit operator.

HOWARD S. CULLMAN gets back today after a week-end respite from theatre and tobacco labors.

ABE MONTAGUE returned yesterday from a week-end at Atlantic City.

ARTHUR POOLE of Pathe began a vacation jaunt yesterday.

BILL JAFFEE, Columbia attorney, having his mid-day bit at Lindy's.

HARRY GOETZ telling all about his latest, "Monte Cristo."

IRVING BROWNING, visiting the Museum of Art, comparing antique relics.

JOE SKIRBOLL, Majestic franchise-holder, is in town from Pittsburgh.

AL LICHTMAN and SPYROS SKOURAS talked over that deal yesterday.

JAMES A. FITZPATRICK returns Sept. 5 from a vacation.

JOHN C. FLINN is down with a sprained ankle.

MILTON WEISS of M-G-M returned yesterday from Bermuda.

Fox to Make 10

Fox has completed its plans for quota pictures in England and will hold output the first year to 10. A year's lease on the Wembley studios near London has been signed.

Grosses Take Spurt; Wide Gains Made

(Continued from page 1)

the Strand; "The Cat's Paw," a pleasant, if not sensational $83,000 at the Music Hall; "Bulldog Drummond Strikes Back," an interesting $29,000 at the Rivoli, and the Roxy a good $19,800 with the third week of "Handy Andy." That house expects to go to $28,000 this week with "Charlie Chan's Courage." The Rialto ended at $12,000 with "The Defense Rests"; the Capitol $32,000, a disappointment with "Treasure Island"; the Mayfair, $6,600 with "She Was a Lady," and the Palace $10,500 with a follow on "One More River."

Receiver Named for Shubert, Cox in Cincy

Cincinnati, Aug. 27.—Judge Benson W. Hough of the U. S. District Court, Columbus, has appointed Ben L. Heidingsfeld, Cincinnati attorney, receiver for Shubert-Cox Theatres Co., upon the petition of the Trebuhs Realty Co., New York, filed in U. S. District Court here. The appointment was made on the application of Haveth E. Mau and Abraham Lipp, local attorneys.

The petition set forth that, while the company's assets exceed liabilities by nearly $500,000, it is not in a position to meet maturing obligations at present. Creditors will be enjoined from bringing suit to satisfy their claims in order to prevent dissipation of the assets. It was asserted in the petition that the company is indebted to the plaintiff in the sum of $13,065.44.

Assets are listed at $1,500,000, and current liabilities at $1,149,107.88. The assets consist mainly of improved real estate.

The defendant's answer, filed simultaneously with the petition, admitted the defendant's allegations and the advisability of the appointment of a receiver.

The Shubert, legitimate, and the Cox, playing intermittent seasons of dramatic stock, also play pictures during the regular season. The Shubert has played many roadshow pictures during the past few years.

The receiver will be given authority to continue operation of both theatres.

Faith Is Queried in Fox Theatres Case

(Continued from page 1)

current assets are virtually without value. The answer alleges that any reorganization is an impossibility.

The creditors filing the response to the involuntary petition are Newsprint Publishers, Inc., Baldwin Piano Co. and R. C. Cherry. Archibald Palmer is attorney for the creditors and also represents minority bondholders in Fox Metropolitan Playhouses. Palmer charged yesterday that one of the Fox Theatres' creditors who petitioned the reorganization represented A. C. Blumenthal. Merriam Rogers, the creditor designated by Palmer, listed a claim of $430,941.

Cleveland Up

Cleveland, Aug. 27.—Business at the local downtown first run theatres last week was way ahead of the same period in the past few years, according to Milt Harris of Loew's, who stated that the four Loew houses here rocketed up to pre-depression grosses. Suburban houses also showed an increase. Cool weather, long evenings and no competitive theatrical entertainment helped.

N. O. Lawyers Say Tax Is Not Legal

New Orleans, Aug. 27.—Attorneys have pointed out to the city administration that the new local tax levying a one cent charge on admissions up to 50 cents is unconstitutional. The theatres have been collecting the tax at the door, later returning it by having ushers pass down the aisles with baskets of pennies.

Passage of the tax was allowed on the stipulation that the money raised be turned over to the NRA. Mayor Walmsley objects to this, desiring that his private welfare organization handle the money.

Ideal in Features; Signs With Hagen

(Continued from page 1)

impending list are "The Wandering Jew," "Broken Melody" and "Bella Donna."

The studio plans to add another stage in September and to double its output. Apart from its own product, Hagen is a quota producer for Universal, Radio, Associated Producers and Distributors and holds a contract to make two for Gaumont British.

M. J. Kandel of Ideal is aboard the *Paris,* due in New York tonight from Europe.

M-G-M Announces "Jew"

M-G-M yesterday announced it had acquired "The Wandering Jew" for release here and would open it at the Capitol, following "Chained."

This is the same picture which Ideal has acquired, according to the above cable from London.

Phil Meyer yesterday stated he had sold the film to M-G-M. Starring is Conrad Veidt. Maurice Elvey directed and Hugo Riesenfeld furnished the music.

This is the first English picture to be distributed by M-G-M since "The Outsider." M-G-M is selling it as "a successor to 'Ben Hur.'"

Mollie Steinberg is handling special publicity on the film at M-G-M.

Tender Brown Dinner

Chicago, Aug. 27.—Division Administrator Sol A. Rosenblatt tonight attended the banquet given in honor of George Brown, business manager of the local operators' union and president of the I.A.T.S.E. The affair was given by Brown's friends in and out of the industry.

Rosenblatt made a speech praising the work of Brown and left immediately after for his Washington office.

Retain Medalie to Wage ASCAP Fight

(Continued from page 1)

battle is regarded as the principal offensive weapon of the exhibitors in their fight to resist the increased music taxes which ASCAP proposes to put into effect Oct. 1.

The legal committee had made overtures for services of Newton D. Baker's law firm, Baker, Hostettler, Sido & Thompson of Cleveland, which is counsel for radio broadcasters in an anti-trust action against ASCAP which goes to trial here in October. While that firm now is not being officially retained it is still expected to be closely associated with the action because of the similarity of the two, it was stated yesterday.

The exhibitors' national emergency committee of which Walter Vincent is chairman and which is directing the fight on the music tax increases is scheduled to meet tomorrow.

Ben Berinstein, president of Associated Exhibitors, Inc., Los Angeles, said yesterday exhibitors in his territory have completed presenting the music tax case to senators and congressmen from their districts and to candidates for those offices at the fall elections and have received assurances of support in every instance.

The exhibitors are asking a Federal investigation of the American Society of Composers, Authors & Publishers and revision of the copyright laws to curtail music taxes imposed by the organization. Similar activities are being conducted nationally by exhibitor organizations.

Kentucky Suit on Rent

Louisville, Aug. 27.—Suit to enforce payment of rent totaling $149,300 and interest of $9,128, alleged to be due on a lease of the Rialto Theatre property, was filed in Circuit Court by the Majestic Theatre Co. against the United Theatres Co., an Ohio corporation. The petition alleges the Ohio concern guaranteed a yearly rental payment of $110,000 when the Majestic company agreed to a transfer of the lease to the Fourth Avenue Amusement Co., operators of The Rialto.

During two years of the term since the lease was made only $70,000 rent has been paid, plaintiff contends.

M-G-M Adding Buildings

Hollywood, Aug. 27.—Extensive building plans are under way at M-G-M. Buildings to be erected include a new central fire station, dental offices, administration building for executive offices, a two-story addition to the wardrobe department, a new emergency hospital and a structure for 16 star dressing suites now nearing completion.

Roxy Ushers Get Raise

Ushers at the Roxy for one year or more last week received an increase in salary of $1.50, bringing the new figure to $19. Ushers were receiving $18 a week until they were cut 50 cents some time ago.

Moskowitz Delayed

Joseph Moskowitz, finally, plans to leave for the coast tomorrow for conferences with Joseph M. Schenck. Al Lichtman expects to leave the end of the week.

Fees Sought In Paramount Case Fought

(Continued from page 1)

half months of Paramount's equity receivership. Those fees were eventually reduced to $105,000 by the Federal court.

The bulk of the bankruptcy fees are for the services of the three Paramount trustees, Charles D. Hilles, Eugene W. Leake and Charles E. Richardson, who ask $100,000 each, and of Root, Clark, Buckner & Ballantine, trustees' counsel, which asks $350,000. The balance of $67,000 is for special counsel and accountants' services.

The Root, Clark, Buckner & Ballantine petition states that the financial position of Paramount was improved $9,000,000 during the 14 months of the bankruptcy and that numerous other benefits to the estate were realized, the value of which will be demonstrated during future operations. The petition states that six partners of the firm and a large staff of special attorneys and clerks spent a total of 33,400 work hours on Paramount affairs during the 14 months of the bankruptcy.

Wanger Back With Para., Producer Now

(Continued from page 1)

pictures for the 1934-35 program, the first to be "The President Vanishes" with Erpi finances.

This means only a slight increase in the Paramount schedule, which will hover in the neighborhood of 62 for the new season.

Technicians Name Slate

Hollywood, Aug. 27.—The following candidates have been selected by the Technicians' Branch nominatnig committee to represent the branch in the coming Academy elections:

For the Academy board of governors, of whom three are to be elected: George Barnes, Carl Dreher, Farciot Edouart, Nathan Levinson, Wesley C. Miller, J. M. Nickolaus, Max Parker, Van Nest Polglase and Karl Struss.

For the Technicians' Branch executive committee, of whom seven are to be elected: John Arnold, George Barnes, Gerald Best, John Boyle, Harry Cohan, Harris Ensign, Charles D. Hall, Fredric Hope, John Hughes, Nathan Levinson, Wesley C. Miller, William B. Moll, Emil Oster, Van Nest Polglase, Loren Ryder and S. J. Twining.

'Change in Des Moines

Des Moines, Aug. 27.—Chesterfield, World Wide and ComiColor cartoons exhibitors in Central and Eastern Iowa will be served by a new branch here of the Capitol Pictures Corp. with headquarters in Omaha. Joe Krestul, formerly with Tiffany, will manage the new office.

To Work at Pathe

Hollywood, Aug. 27. — George Batcheller of Chesterfield and Maury Cohen of Invincible today signed a lease to make their individual nine picture program at the Pathe studio. They formerly leased space at Universal City.

★★★★

4 STARS IN NEWSPAPER REVIEWS EVERYWHERE

"A Treasure Trove"

WALTER SPEARMAN
motion picture critic
CHARLOTTE NEWS
Charlotte, N. C.

"For digging out facts about the motion picture industry I've just discovered a treasure trove. It is the 1934-35 Motion Picture Almanac. There is enough material in it to last a daily columnist about 365 days."

"A Compliment to the Industry"

WALTER D. HICKMAN
motion picture editor
INDIANAPOLIS TIMES

"The 1934-35 Motion Picture Almanac is the most complete authority on the movie industry I have ever seen. It is a compliment to the industry."

MOTION PICTURE ALMANAC

1790 BROADWAY NEW YORK

Death Claims Mother Of Four Warner Bros.

(Continued from page 1)

Sunday in a vain effort to reach her bedside.

H. M. Warner, Albert and Mrs. Warner, Harry Charnas and Lou Halper flew west immediately upon arrival of word that Mrs. Warner was rapidly sinking. Halper, western theatre executive for Warners, was in New York on business.

Surviving Mrs. Warner are her husband, Benjamin Warner; four sons, Harry M., Albert W., Jack and Dave; and three daughters, Mrs. Harry Charnas of New York, Mrs. David Robbins of Youngstown, and Mrs. Lou Halper of Beverly Hills.

Cerebral Hemorrhage Cause

Hollywood, Aug. 27.—Immediate cause of the death of Mrs. Benjamin Warner was a cerebral hemorrhage. She had been confined to the Cedars of Lebanon Hospital and died three hours after the elapse of her 58th wedding anniversary. Mrs. Warner was born in Poland 77 years ago.

The Warner party, flying from New York, arrived at noon today.

Last Rites for Mrs. Feist

Funeral services were held yesterday for Mrs. Bertha E. Feist, wife of Felix F. Feist, general sales manager of M-G-M, who died early Saturday morning. Nicholas M. Schenck, president of Loew's and M-G-M, headed a formidable array of company executives who attended the services.

Mrs. Feist was 48 and had been ill for some time. She was author of "Grunty-Grunts Indoors," "Grunty-Grunts Outdoors," "Smily-Smiles Indoors" and "Smily-Smiles Outdoors," books for children which had a large circulation. She also was regarded as an authority on sports and was credited with authorship of several articles on golf. A woman of parts, Mrs. Feist was a painter and a poet as well. She was a members of the Mt. Vernon Country and the Metropolitan Country Club and is survived by her husband, a daughter, Mrs. Myron Nast; and a son, Felix, who is well known in production circles in Hollywood.

Jones Dead at 68

Rochester, N. Y., Aug. 27.—Funeral services are being arranged for Lewis B. Jones, 68, a vice-president of Eastman Kodak, a pioneer in that company's services and, at the time of his death, in charge of sales and advertising. The end came suddenly and as a result of a heart attack at his country home and farm near this city.

Jones is survived by a daughter, Mrs. Horace S. Thomas; a son, Robert F. Jones and three grandchildren.

Color Plans Changed

Pioneer Pictures has decided to make Thackeray's "Becky Sharp," not "The Three Musketeers," as first announced, as the initial feature to employ the new three-component Technicolor process. Radio will release. Kenneth MacGowan will supervise, while Robert Edmond Jones will be in charge of the color direction.

MOTION PICTURE DAILY'S HOLLYWOOD PREVIEW

"Peck's Bad Boy"

(Principal)

Hollywood, Aug. 27.—Santa Anna packed its Broadway theatre all Sunday to honor the world premiere of this production and judging from the reception of the paying patrons and press, Sol Lesser has a real hit here.

With the personalities of Jackie Cooper, Thomas Meighan, Jackie Searl, O. P. Heggie and Dorothy Peterson, an authentic canvas of Americana is unfolded in "Peck's Bad Boy," revealing the drama of a typical boy in a typical home in a typical town.

Known as one of the literary classics of the Mark Twain era, it emerges on the screen rich and wholesome, full of vitality, glowing with incidents that tickle the ribs and wet the eye.

Sol Lesser, theatre operator and producer, who rose from a San Francisco tent show to a west coast theatre pioneer producing film smashes on his way, has the right to expand on the first under his new auspices.

Eddie Cline's directorial transfer probes the heart of the boy with sympathy, understanding and humor. Hugo Riesenfeld's music enhances the audience response. Bernie Schubert and Marguerite Roberts wrote the screen play. Frank Good's photography is good.

Shrewdly woven into the film is a father-son celebration for good exploitation, which, with the title, marquee names and heart appeal should account for ticket window satisfaction and family enjoyment. It was previewed without a code seal. Running time, 70 minutes.

"Straight Is the Way," last night's opener at the Mayfair, was covered by wire from Hollywood July 21.

Mexican Union Bans "Mussolini Speaks"

By JAMES LOCKHART

Mexico City, Aug. 27.—Theatre unions here have boycotted "Mussolini Speaks" on the charge it disseminates Fascist propaganda which the union thinks unsuitable for Mexican workers. The Peasants' federation has backed the boycott, leading to the expectation the ban will expand throughout the country.

Allen Reopens Aug. 30

Cleveland, Aug. 27.—The Allen, operated by a Warner-RKO pool under Nat Holt, opens Aug. 30 with "The World Moves On." Howard Higley, former assistant manager at Keith's Palace, has been named house manager. Admission prices are set at 20 and 30 cents for matinees and 30 and 40 cents for evenings. A straight picture policy is planned.

Para. Assigns Baer

Max Baer, recently signed to make one each for Columbia, M-G-M and Paramount, has received his Paramount assignment. He will appear in a Damon Runyon original, "Kids on the Cuff." The yarn has no connection with the ring.

Signs June Clayworth

Hollywood, Aug. 27.—Universal has signed June Clayworth to a long-term contract. The actress recently scored in the Broadway production, "Are You Decent." The deal begins Sept. 17.

Compson China Bound

Hollywood, Aug. 27.—Betty Compson has sailed for China, where she has a contract with a newly-formed company to direct pictures with native Chinese casts.

Warners to Book 2 More Jersey Spots

Warners have entered into an arrangement with Rapf & Rudin whereby the major circuit will do the booking and buying for the Bellevue, Upper Montclair, and Broadmore, Bloomfield, N. J.

Some time ago Warners had a deal on to take over the houses, but negotiations were dropped in favor of the buying-booking setup.

Drew Here from London

Thomas P. Drew, recently appointed sales manager of General Register, arrived from London on the *Leviathan* yesterday and immediately took up his new duties. Tonight, Percy Phillipson, head of the company, will be host at a Waldorf dinner in Drew's honor.

Carr Preparing Three

Hollywood, Aug. 27.—Trem Carr has postponed all production at Monogram until after Labor Day, having lined up three features to start in September. The pictures are "The Healer," "Flirting with Danger" and "Girl of My Dreams," a college yarn.

Laughton Causes Delay

Hollywood, Aug. 27.—Illness of Charles Laughton, who underwent a major operation yesterday at the Cedars of Lebanon Hospital, will delay start of "Ruggles of Red Gap" at Paramount to Sept. 10.

Toeplitz Signs Santell

London, Aug. 27.—Toeplitz Prod. has signed Al Santell to direct "The Dictator" on which shooting will get going Sept. 17. The Associated Talking Pictures studio at Ealing will be used.

U. K. Sets Cap for U. S. Dates—Mayers

British producers are determined to "crash" the American market this season, Bertram A. Mayers of Fitelson & Mayers, counsel for independent producers here and in London, said yesterday.

Mayers returned recently from London where he aided in the organization of the British unit of an Anglo-American producing and distributing company to be known as Atlantic Film Corp. Organization work on the American unit will be begun in the near future, Mayers said. The company will produce both here and abroad and the product of both units will be sold en bloc. There will be a complete interchange of production talent between the company's two centers of activity, according to present plans.

Harry Clifton, head of the British Clifton-Hurst Prod., will be in charge of the London company. Capt. Daniel Sickles, international broker, will be financial head of the American company.

Mayers said that British producers were convinced by the reception here of "Henry VIII" that proper production treatment would enable any British production to make the grade in this market.

"Now they're all determined to make pictures for America," he said.

Welgot Launching New Trailers Soon

Welgot Trailer Service will inaugurate a new policy starting Sept. 1 whereby exhibitors will be able to secure their trailers for all feature releases at a lower cost than heretofore, according to the company. The new trailers will be in sound, but with no talking or actual scenes of the features advertised. They will vary in length from 20 to 30 feet. Company offices in Chicago and on the coast are also being planned.

Complication Seen On Ohio Clearance

Cleveland, Aug. 27.—Postponement of the Cleveland-Toledo-Uhrichsville clearance appeal cases, scheduled originally for Aug. 29, until some time after the regular Campi meeting on August 30th, is thought to complicate matters locally by putting back buying of new product in the affected areas until very late in the season.

Three More in L. A.

Los Angeles, Aug. 27.—Three additional complaints filed with the local grievance board list the Granada against the Rialto, Bakersfield, on a reduced admission complaint and Pacific National Theatres, Inc., in a similar complaint against the Seville in Shula Vista.

For clarifying of certain records in the code in regard to a contract signed with M-G-M by the Rialto, a clause has been attached to the complaint which reads: "any feature running first run in Alhambra at the Garfield to be canceled."

Chadwick East Again

I. E. Chadwick is due from the coast Thursday for a special meeting at Campi on the Los Angeles clearance and zoning schedule.

The Leading Daily Newspaper of the Motion Picture Industry

MOTION PICTURE DAILY

Alert, Intelligent and Faithful Service to the Industry in All Branches

VOL. 36. NO. 50 NEW YORK, WEDNESDAY, AUGUST 29, 1934 TEN CENTS

J. D. Williams Passes at 57; Was Pioneer

Sudden End Removes Colorful Executive

Death yesterday came to J. D. ("Jaydee") Williams, at one time one of the biggest factors in the industry and the organizer of the original First National organization in 1916. The end took place at 9 A.M. at the New York Emergency Hospital from a complication of ailments following a nervous breakdown.

J. D. Williams

He was taken ill about 10 days ago on the way to his office from his summer home at Schooley's Mountain, N. J. His condition rapidly grew worse from

(*Continued on page* 4)

W. B. End More Units To Simplify Taxes

ALBANY, Aug. 28.—Certificates terminating the corporate existence of First National Prod. Corp., First National Pictures Dist. Corp. and Vitaphone Dist. Corp. were filed here today in the office of the Secretary of State by Warner Bros. Pictures, Inc.

Elimination of these wholly-owned Warner subsidiaries will have no bearing on operation of the company in production and distribution and was determined upon as part of the current policy of consolidating or wiping out such corporations to simplify and make more economical the company's tax structure.

First step took place last week when

(*Continued on page* 8)

Doubt Goldman and Boyd Will Hook Up

PHILADELPHIA, Aug. 28.—Little hope is seen in the reported get-together of William Goldman and Al Boyd in the operation of the Locust, now controlled by Boyd. Goldman and Boyd are said to have different ideas on operation which would make any contemplated joint operating deal impossible.

K.C. Crusade By Big Daily Held Unfair

Journal-Post Scores Act —Causes Stir

KANSAS CITY, Aug. 28.—A front page crusade by the *Kansas City Journal-Post* against an allegedly indecent act at the Tower, downtown first run, accompanied by notice served on local theatres that it will be the paper's policy in the future to accord similar treatment to film or stage shows that "breach the bounds of public decency," has engendered a storm of denunciation by theatre managers.

As a result of the paper's protest and at the request of Police Chief

(*Continued on page* 5)

Revamped Saenger Co. Step Nearer

NEW ORLEANS, Aug. 28.—Reorganization of Saenger Theatres and Saenger Realty Corp. by Sept. 15 was made a possibility by the approval today of certificates of deposit for bondholders of the company by Federal Judge Borah in U. S. District Court here.

Court approval of the deposit certi-

(*Continued on page* 5)

Cooperative Buying Aired Before ITOA

Cooperative purchasing to cover all member theatres of the I. T. O. A. was discussed at a regular meeting of the organization yesterday.

Labor problems and the union situation in New York were also aired.

An Even 100

Hollywood, Aug. 28.—Membership cards taken out by Victor Fleming and Louis King in the Directors' Branch of the Academy send the total in that division to exactly 100.

Royalties, NRA Matter, Campi Says

Division Administrator Sol A. Rosenblatt's plan for adopting a royalty system for producers, stars, director and writers on the coast is an NRA matter and in no way is Campi concerned with the matter, it was stated at Code Authority yesterday.

This is construable to some as indicating the industry will not voluntarily act on any plan to adopt a royalty system.

Rosenblatt has committees working on the plan in Hollywood and reports will come directly to him, it was said. Campi is not interested in the plan since it is not regarded as a code matter, but may accept suggestions from Rosenblatt on his ideas for establishing a royalty basis for creative artists.

Fox Theatres Favors Met. Reorganization

Alleging that its ownership of all of the capital stock of Fox Metropolitan Playhouses constitutes a valuable claim against that corporation, Fox Theatres yesterday filed an answer to the involuntary petition for reorganization brought against it last

(*Continued on page* 4)

James Dixon Williams

By RED KANN

THE curtain fell on "Jaydee" Williams yesterday and terminated a chapter of individual achievement which, in its heyday, was a record second to none.

Williams had a glamour of big business about him. He was a showman incarnate. He knew how to get what he was after for his pride and joy, the original First National organization, and demonstrated the efficacy of his operating method by starting from scratch and concluding only when that company had well nigh annexed the industry's

(*Continued on page* 4)

103 Pictures Code-Stamped In the East

Only 11 Features, But Shorts Total 92

Production Code Administration in the east, functioning under Vincent G. Hart, assistant to Joseph I. Breen, has approved 103 pictures since the reinforced machinery began to function on July 15. This is the total to the close of code business Monday evening.

Since little feature production is centered on the east coast, code-stamped to date at this end are only 11 features, many of them foreign. One of them, "Convention Girl," is a First Division release. That company is not a member of the Hays organization.

This effort, combined with Breen's activities on the coast, makes a total of 84 features, 172 shorts and six

(*Continued on page* 4)

"Untold Confusion" Seen Over Zoning

KANSAS CITY, Aug. 28.—Continuance of the old clearance and zoning schedule for 1934-35 in the absence of a new one would cause untold confusion in Kansas City because the existing plan, as originally adopted, has been disregarded by changes in policy in the last year to an extent as to make it virtually non-existent.

That is the opinion of exhibitors who are closely observing Campi's tussle with the national situation and the eventuality that attempts to draft new schedules will be abandoned. Appeals on Kansas City's new schedule, as well as from St. Joseph, Mo., and

(*Continued on page* 8)

Preliminary Plan On Assessments Set

Preliminary plans for drafting a new assessment schedule for producers and distributors were discussed yesterday by Campi's finance committee.

A report is expected to be handed in tomorrow when Code Authority meets but no action is anticipated because of the involved details in completing a new schedule.

Division Administrator Sol A. Rosenblatt must approve a new levy which also must be endorsed by all companies affected before Campi will put it into effect.

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DAILY

(Registered U. S. Patent Office)

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Looking Toward Europe

HOLLYWOOD, Aug. 28.—Sol Lesser, George O'Brien and Eddie Cline leave Hollywood, Sept. 12, en route to New York and London where they will film "The Cowboy Millionaire."

While in New York O'Brien will make personal appearances in conjunction with "Dude Ranger."

Col. Declares Dividend

Columbia Pictures, Inc., has declared a regular quarterly dividend of 25 cents on its common stock, payable Oct. 1 to stockholders of record of Sept. 18.

Clark Now Recovered

John D. Clark, general sales manager of Fox, returned to his desk yesterday recovered from a recent illness.

Moskowitz Due Today

Harry Moskowitz of Loew's returns today on the *Conte di Savoia* after a nine months' trip on the continent and Europe.

First Fox for Mayfair

"Pursued" will be the first Fox picture booking for the Mayfair under a deal recently closed by Walter Reade and Fox. No date has been set.

Dix Re-Signed by Radio

HOLLYWOOD, Aug. 28.—Richard Dix has been re-signed by Radio.

Looking 'Em Over

"The Count of Monte Cristo"

(Reliance-U. A.)

This is an engrossing historical romance, set against a background of political intrigue in Napoleonic times, in which Robert Donat turns in an impressive performance for his American film debut.

Teamed with Elissa Landi, whose role subordinates her to infrequent appearances, Donat portrays the innocently imprisoned political prisoner separated from his fiancee, Miss Landi, on their engagement eve, who, after years in prison, eventually escapes and returns to bring his persecutors to justice. He accomplishes this through the influence of a prison-mate, played by O. P. Heggie, who brings about his escape from the prison and, also, directs him to the wealth which makes it possible for Donat to become the powerful Count of Monte Cristo and thus bring his enemies to justice. Thereafter, he and Miss Landi are reunited.

The latter half of the picture, from the time of Donat's escape from prison, is fast-moving, captures and holds the attention. The first half is somewhat confusing in its interjection of background happenings, such as the escape of Napoleon from Elba, which have little or no bearing on the story.

The cast is uniformly good, as are atmospheric sets, the direction of Rowland V. Lee, and camera work of Peverell Marley. Edward Small produced. Running time, 115 minutes.

"A Girl of the Limberlost"

(Monogram)

Set in rustic surroundings and with principal roles enacted by a capital cast including Frank Morgan, Louise Dresser, Marian Marsh, H. B. Walthall, Edward Nugent, Helen Jerome Eddy, Betty Blythe and Tommy Bupp, Monogram has knitted an entertaining and picturesque pattern in "A Girl of the Limberlost." Christy Cabanne directed with an adept hand and Ira Morgan photographed with a skilful eye. As a whole, it stands up as entertainment Gene Stratton Porter followers will want to see.

The story pivots about Miss Marsh and the ill treatment by her mother, Miss Dresser, who hates the child because she was unable to save her husband from drowning in a quagmire while in the motherhood stage. Miss Marsh overcomes the obstacles laid in her path through the graciousness of Miss Eddy and Morgan.

One day Miss Dresser learns of another woman, Barbara Bedford, who had been in love with her husband, Robert Ellis, and had given birth to an illegitimate son. This changes Miss Dresser's attitude toward her daughter. Miss Marsh, in the interim, has fallen in love with Nugent while the latter had been vacationing in the town, but the romance ends with the arrival of Gigi Parrish, Nugent's sweetheart. The engagement is broken off because of Miss Parrish's jealousy, leaving Miss Marsh and Nugent to continue their romantic ventures in the peace and quiet of their surroundings.

Running time, 86 minutes.

(Additional review on page 8)

"U" Advances 1⅛ on Big Board

	High	Low	Close	Net Change	Sales
Columbia Pictures, vtc	31	29¼	31	+ ¾	100
Consolidated Film Industries, pfd	14	14	14	— ⅛	100
Eastman Kodak	99¾	99¼	99½	— ½	300
Eastman Kodak, pfd	139¾	139¾	139¾	.....	20
Fox Film "A"	11½	11½	11½	+ ¼	200
Loew's, Inc.	27⅞	27⅜	27⅞	— ¾	1,200
Loew's, Inc., pfd	92	92	92	.....	200
Paramount Publix, cts	4	3¾	4	+ ¼	1,400
Pathe Exchange	1¼	1⅛	1¼	.....	2,900
Pathe Exchange "A"	15⅛	14½	15	— ½	900
Universal Pictures, pfd	27⅛	27⅛	27⅛	+1⅛	30
Warner Bros.	4⅝	4⅝	4⅝	.....	600

Trans Lux Up Eighth on Curb

	High	Low	Close	Net Change	Sales
Technicolor	12⅞	12⅞	12⅞	— ⅛	100
Trans Lux	2	1⅞	2	+ ⅛	300

RKO Bonds Soar 4 Points

	High	Low	Close	Net Change	Sales
Loew's 6s '41, ww deb rights	102	101¾	102	— ¼	21
Paramount F. L. 6s '47	47	47	47	—1	1
Paramount Publix 5½s '50	48¾	48	48	—1	10
RKO 6s '41, pp	28	28	28	+4	1
Warner Bros. 6s '39, wd	55	54½	54½	—1½	3

◂ Purely Personal ▸

DICK POWELL starts a series of personal appearances in Pittsburgh, Washington and Philadelphia within the next 10 days. He expects to fly east Saturday.

SENATOR WAGNER, GOV. LEHMAN, ALFRED E. SMITH and MAYOR LAGUARDIA have endorsed "Romance of a People," which goes into the Roxy Sept. 7 for an indefinite stage run.

JOHN LINDSAY, foreign department student at Fox, has been permanently assigned to Barcelona. PAUL M. WIRE, another, goes to Buenos Aires.

R. E. GRIFFITH of the Griffith circuit plans to stay in New York another month. He's working on several product deals.

CHARLES WILLIAMS and MARCY KLAUBER have been added to Educational's writing staff.

MARK OSTRER spent the week-end at HOWARD S. CULLMAN'S home at Purchase, N. Y.

CLIFF WORK, city manager for RKO in San Francisco, is in town.

PAUL GREENHALGH was in town from Philadelphia yesterday.

JOE LEE of Fox shortly will undergo a second throat operation.

MORT BLUMENSTOCK returned yesterday from Philadelphia.

MAX REINHARDT arrived last night on the *Olympic.*

Unions Behind Union

The Joint Labor Committee of Heavy Construction and Railroad Work yesterday offered support of its 32 affiliated trades to Local 306, the purpose being to assist the operators' local in its fight against Allied M. P. Operators. The committee alleges Allied to be "a company union employed by theatre owners."

Rowland on Stories

Richard Rowland, who has been in town for several weeks, has taken charge of the story department at Radio in place of Katharine Brown, who has been granted a leave of absence because of impending motherhood. Rowland returns to the studio to take up production duties when Mrs. Brown returns.

Loew Sailing Shortly

Arthur Loew, head of M-G-M's foreign activities, sails for South America and Europe on Sept. 22, returning to the United States after the first of next year. It's a periodical trip.

Circuit After the Casino

With radio broadcasting definitely out, one of the major circuits is dickering for the Casino with plans for a picture and vaudeville policy.

Criterion Stench-Bombed

The Criterion was stench-bombed yesterday morning during a preview of Monogram's "A Girl of the Limberlost."

YOU CAN KICK ME

for having failed to predict that "Thin Man" was going to be one of the year's biggest hits—

BUT YOU'LL KISS ME

for tipping you off about *another* "Thin Man"—Yes sir, it's

ROBT. MONTGOMERY—MAUREEN O'SULLIVAN

in

HIDE-OUT

Directed by
W. S. VAN DYKE
Produced by
Hunt Stromberg

We told you that this delightful entertainment by the writers and director of "Thin Man" was going to be a surprise sensation! Look what's happening!

WASHINGTON, D. C. Doubles normal biz!
NEW YORK. Beats "Thin Man"!
KANSAS CITY. Biggest in months!
BALTIMORE. Beats "Tugboat Annie"!
BOSTON. Tops recent hits!
CANTON. Excellent!
COLUMBUS. Beats "Men in White!" Imagine!
ATLANTA. Way ahead of "Thin Man"!
MEMPHIS. Doing swell here!
INDIANAPOLIS. Also tops "Men in White" here!
EVANSVILLE. Excellent!
LOUISVILLE. Beats "Thin Man" by miles!
ST. LOUIS. Exceptional!
WILMINGTON. Tops "Thin Man" and recent hits!

Get going!

J. D. Williams Passes at 57; Was Pioneer

(*Continued from page 1*)

the time of the first attack and, on the advice of physicians, Williams was brought to New York early last week to seek a specialist's advice.

On the way to the office of Dr. Lewis Greenwald, 110 E. 36th St., Williams suddenly was seized with another attack and removed at once to the Emergency Hospital where he died yesterday morning. News of his passing filtered rapidly through the industry in New York yesterday and occasioned many expressions of shock and regret.

He is survived by his widow, Ethel Hope Williams, whose friends in and whose knowledge of the industry were as extensive as her late husband's; and three sisters, Mrs. Victor Fear of Sebastopol, Cal., Mrs. Hugh Chatfield of Catlettsburg, Ky. and Mrs. Clough Davidson of South Point, O.

Funeral services will be held at 2:30 P.M. tomorrow from Campbell's Funeral Parlor. The remains will be cremated.

James Dixon Williams was born in Ceredo, W. Va., Feb. 27, 1877. At the age of 16 he left high school to become treasurer of a local theatre. He edited and published a combination program-house organ and sold advertising in it as his first boyhood business venture and was one of the first showmen to exploit motion pictures in a "black top" tent on tour.

Went into Exhibition

Williams opened and operated four picture shows in Vancouver, B. C., sold out and moved to Spokane, where he had two theatres. In 1909 he went to Australia where he founded the Greater J. D. Williams Amusement Company whose chain of continuous picture theatres were at that time—and are today—among the finest and most successful in the world. He later was the prime mover, with other leaders, in promoting a merger which combined the Great J. D. Williams chain and Film Exchanges throughout Australasia with Wests, Ltd., and Spencers, Ltd., under the names of Union Theatres, Ltd., and Australasian Films, Ltd.

The Williams theatres, the first continuous houses in the country, were the backbone and nucleus of the present powerful Union Theatres chain. In 1913, he sold out his Australian interests and made a tour of the world as representative of several American producers. Returning to America, he interested W. W. Hodkinson, then a Pacific Coast exchange operator, in coming to New York for the organization of a national distributing company which later developed into the genesis of the present Paramount company.

In 1916, Williams organized the First National Exhibitors' Circuit, Inc. He remained as general manager of this company for six years. In 1925, he organized Ritz Carlton Pictures, Inc., of which the late Rudolph Valentino was the first star. In 1926, he went to England where he organized British International Pictures, Ltd., and built the large modern studios at Elstree, near London. In 1928, with John Maxwell, head of British International, and E. W. Hammons, president of Educational, as associates, he organized World Wide Pictures, Inc., of New York.

In his career, Williams played an important part in the development of the industry, both in America and Europe. His business dealings with Harold Lloyd, Charles Chaplin, Mary Pickford, D. W. Griffith, Rudolph Valentino, and other leading stars and directors are generally regarded as having furthered their careers as independent producers. He was associated with the growth of such producers as Louis B. Mayer, Joseph M. Schenck and Thomas H. Ince.

He was named by President Harding as representative of the Motion Picture Industry to the National Unemployment Commission in 1922 and elected one of the 10 men who had done most for the industry in the vote of readers of *Motion Picture News*.

Williams was a 32nd degree Mason, a Shriner, and a life member of the B.P.O.E.

James Dixon Williams

(*Continued from page 1*)

crown from the then long unchallenged head of Adolph Zukor.

▼

WILLIAMS organized First National first as an exhibitor company seeking to protect its theatres by contracting for its own pictures. The parade of personalities which he brought together under his banner probably has never been surpassed under any other.

It was his idea that pictures should be produced individually by individual stars and directors. The idea worked. It worked so well and it gave Zukor so much worry that the Paramount president finally eliminated the thunder from First National's hoofs and the fire from its nostrils by buying out the franchise-holders who made it up.

Even today, that original plan is looked upon by many in the industry as the outstanding production development in the entire hectic career of motion pictures.

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WILLIAMS, down on his luck in recent years and trying hard to stage a come-back, to the last stuck to his theory of the individual picture built into the special attraction and exploited in that wise. Whether or not it would have worked in these latter days of top heavy producer-owned circuits is another story minus an answer because it ventures into the regions of the untried. But it must be said for "Jaydee" that he remained by his guns, never wavered in his convictions. For that, any man deserves a bow.

He was a colorful figure, aggressive and scrappy, a power in his day, a factor that moulded changes, a force that quickened competition and, indeed, helped to fashion trends. At 57, a life once far busier than it has been of late, is cut off, thus blocking the way to future rehabilitation and prestige.

It is regrettable.

Fox Theatres Favors Met. Reorganization

(*Continued from page 1*)

week by three creditors. Leave to join in their petition is asked.

The answer was filed by William E. Atkinson and Milton C. Weisman, receivers for Fox Theatres. Its principal assertion is that the corporation may be reorganized advantageously to its creditors under Section 77-B of the new bankruptcy laws if an equitable realization can be had on its stock claim against Fox Met., which is describes as a valuable claim.

In a recent hearing on a petition for reorganization of Fox Met., Federal Judge Julian W. Mack, presiding, referred to the Fox Met. stock as "worthless."

An action attacking the good faith of the petition for reorganization of Fox Theatres and questioning the status of two of the three creditors who filed the petition is awaiting a Federal court hearing, the date for which may be set today.

Dinner to T. P. Drew Launches Post Here

Thomas P. Drew, recently appointed vice-president and general manager of General Register Corp. was guest of honor at a Waldorf dinner last night on the eve of launching his new duties in New York. He arrived from London on Monday.

Percy Phillipson, president of the company, was the host. The following were present:

Mrs. Phillipson, C. Foster, vice-president and treasurer, and Mrs. Foster; I. S. Lamm, New York representative, and Mrs. Lamm; D. H. Finke, Chicago representative, and Mrs. Finke; C. Roth, New York representative, and Mrs. Roth; F. Hall, factory manager, and Mrs. Hall; R. Dupont, Philadelphia manager; O. Hodecker, Boston manager, and Mrs. Hodecker; E. Mann, purchasing agent, and Mrs. Mann; S. Fiore, auditor, and Mrs. Fiore; A. Siegel, Chicago salesman, and Mrs. Siegel; William Massce, the company's shipping agent, and Mrs. Massce; C. Gingell, American representative of Barclay's Bank, and Mrs. Gingell; E. A. Powers, advertising manager, and Mrs. Powers, and Red Kann.

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103 Pictures Code-Stamped In the East

(*Continued from page 1*)

serials approved, but the coast tally covers up to Aug. 20 only.

Cleared by Hart in New York are these:

Columbia

(*Shorts*)

"Among the Latins," "In the Islands of the Pacific," "March of the Years, No. 10," "Decks Awash," "Rowing Rhythm" and "Spice of Life."

Educational

(*Shorts*)

"Then Came the Yawn."

First Division

(*Features*)

"Convention Girl."

Fox

(*Features*)

"The First World War."

(*Shorts*)

"Hello Sailor," "Coast of Catalonia," "Man's Mania for Speed," "I Surrender Dear," "One More Chance," "In Far Mandalay," "Marching with Science," "Irish Sweepstakes," "Busted Blossoms," "Mice in Council," "Good Luck—Best Wishes," "Mountain Melody," "Time on Their Hands" and "She's My Lily."

Loyal Order of Moose Lodges

(*Shorts*)

"Tomorrow's Citizens."

Mundus

(*Features*)

"Overnight," "Night of the Garter," "Venetian Nights," "Men of Tomorrow," "Cash," and "The Blue Danube."

Paramount

(*Features*)

"The Downfall" and "Crime Without Passion."

(*Shorts*)

"Black Cat," "Society Notes," "Shiver Me Timbers," "Springboard Champions," "Madhouse Movies, No. 1," "There's Something About a Soldier," "Paramount Pictorial, No. 2," "Water Rodeo," "Hi De Ho," "Axe Me Another," "Screen Souvenirs, No. 1," "Old Kentucky Hounds" and "Radio Announcer's Review."

RKO

(*Features*)

"Adventure Girl."

(*Shorts*)

"Eyes on Russia," "Dumb Bell Letters, No. 2," "Pathe Review, No. 7," "Pastrytown Wedding," "Russia, No. 2," "Dumb Bell Letters, No. 3," and "Dumb Bell Letters, No. 4."

Universal

(*Shorts*)

"Night in a Night Club."

Warners

(*Features*)

"The Church Mouse."

(*Shorts*)

"The Winnah," "The Prize Sap," "My Mummie's Arms," "Ben Pollack and Orchestra," "Dark Africa," "Stolen Melody," "At the Races," "Dad Minds the Baby," "Visit to South Seas," "Mysterious Kiss," "Phil Spitalny and His Musical Queen," "Daredevil O'Dare," "Syncopated City," "The Policy Girl," "All Sealed Up," "Rambling Round Radio Row," "Guess Stars," "Vaudeville Reel, No. 1," "No Contest," "Paree, Paree," "Out of Order," "Vaudeville Reel, No. 2," "Charles Ahearn and Orchestra," "Smoked Hams," "Songs that Live," "Pilgrim Days," "Boston Tea Party," "Richard Himber and Orchestra," "Radio Reel, No. 1," "Freddy Rich's Orchestra," "Little Jack Little," and "Mr. and Mrs. Jack Crawford."

K.C. Crusade by Big Daily Held Unfair

(Continued from page 1)

Robert J. Coffey, S. Bernard Joffee, the Tower's managing director, withdrew a small girl from the act billed as the Six O'Connors, a family troupe. Subsequently, two detectives assigned by Chief Coffey to censor the vaudeville bill, sat through the show and pronounced it "fit for anybody."

Joffee told Motion Picture Daily the only reason for the attack was that he is not advertising in the *Journal-Post,* using the *Star* exclusively. Other first runs managers are highly resentful of the attack and one said he considered it a veiled threat against theatres to continue advertising in the *Journal-Post.*

Joffee said the paper's treatment of the act was unusual inasmuch as it had been warmly received at the Irish Village at the World's Fair and since all acts shown at the Tower are censored by him before opening because the theatre caters to family patronage. He pointed out he is cooperating fully with local censors.

Runs Review Day Ahead

The paper's editors planted the usual review of the Tower show, written for the Sunday theatre section, on the front page of Saturday's edition instead. In it, Lowell Lawrence, critic, took offense at the part in the O'Connor family act of "a baby girl, apparently not more than four years old." The article was headed: "Child Is Taught Smutty Jokes Instead of Nursery Rhymes." Adjoining the review was a two-column editorial in black face titled "Work for the Police."

"Crime, corruption and immorality generally are denounced on the front pages of newspapers. Then why not indecency in a theatre?" the editorial asked. It stated that publication of the review on page one marked the inception of a new policy by the *Journal-Post* and that hereafter "a front page review in the *Journal-Post* will serve as a danger signal whenever a theatre catering to the general public . . . resorts to filth, smut or anything else that is an affront to public decency."

The paper charged the responsibility for clean shows in Kansas City rests with the first run managers since "they determine the character of the theatrical entertainment offered the entire city, including that at suburban or subsequent-run theatres," because the subsequents "must content themselves principally with pictures that have already appeared downtown."

Calls for "Cleanup"

The editorial called on the authorities to "clean up" the current show at the Tower, and declared that "if the indecencies are repeated, all those involved from S. Bernard Joffee, the manager, on down should be haled into court."

After this blast appeared, the chief of police asked Joffee to withdraw the small girl from the act. According to the *Journal-Post's* story on Sunday, the only objection the chief expressed was to a child of tender age "appearing on the stage as late as 11:30 o'clock."

Saturday's attack was followed by a Sunday lead story under a banner head clear across page one stating: "Two Children Taken Off Stage at Tower." Only the youngest was taken off, however.

Vaudeville Dies

Toronto, Aug. 28.—The last vaudeville will be seen in Toronto on Aug. 31 when Shea's Theatre goes all-picture. Ten musicians and three stage-hands are affected by the decision of Famous Players Canadian Corp.

40,000 More Legion Pledges Reported In

Kansas City, Aug. 28.—A total of 40,000 signed pledges in the Legion of Decency drive has been turned in to Bishop Francis Johannes of Kansas City., Kan., head of the large Leavenworth Catholic diocese. This figure represents almost half of the entire Catholic population in the area.

There has been little furore over the movement in recent weeks but it is estimated 10,000 signatures will be obtained in the upper grades of parochial schools and Catholic high schools and colleges in Kansas City alone.

The Catholic Register, official publication of three Catholic dioceses in Kansas and Missouri, last week published a list of films issued by the Catholic Sodalities. The compilation lists 15 pictures as condemned and 12 recent releases as not condemned. The newspaper is undecided whether it will publish such lists in the future, inasmuch as none is issued or approved by the bishops in this area. Individual parish bulletins in Kansas City are publishing lists of condemned pictures.

Phila. Exhibitor Climax Due Shortly

Philadelphia, Aug. 28.—Differences between the M.P.T.O. of Eastern Pennsylvania and the Independent Exhibitors Protective Ass'n are expected to come to a head on Sept. 5, when an important announcement will be made by the M.P.T.O.

A peace move between the units recently fell through because the I.E.P.A. insisted that no affiliated circuits could be listed as independent, despite the fact that major circuits have only one vote in M.P.T.O. affairs.

FWC Boosts Scales In L. A. This Week

Los Angeles, Aug. 28.—Fox West Coast will boost admissions here this week by about 10 and 15 cents. The circuit raised its Long Beach prices last week.

Warner Rites Tomorrow

Los Angeles, Aug. 28.—The funeral of Mrs. Benjamin Warner, mother of the four Warner brothers, who died here yesterday, first set for tomorrow, has been postponed to Thursday. The Warner studio will remain closed until 1 P. M. on the day of the funeral.

Deny Plan to Buy Plant

Hollywood, Aug. 28.—Merian C. Cooper and other Radio studio executives denied a report today that Jock Whitney planned to purchase their company's plant.

Blue Ribbon Formed; Plans "Clean" Films

Hollywood, Aug. 28.—First of the new companies to tie in with the drift toward clean and wholesome films is Blue Ribbon Pictures which has leased space at General Service Studio and plans to make four to six features in its first year of operations.

"Old Lady 31," once made by M-G-M, will be the opener while either George Archainbaud or James Cruze will direct. No release is set.

Bruce Merman will be in charge of production, and Mrs. Flora Douglas, society woman and sister of Mariner Eccles who last week was appointed governor of the Federal Reserve Bank, in charge of stories. Charles Smead, Washington, D. C., attorney, is president.

Take Full Page Ad To Classify Films

Chicago, Aug. 28.—A classified list of films now being shown in the metropolitan area appeared in the *Chicago Sunday Tribune* in the form of a page of copy paid for by the Chicago Council of the Legion of Decency for the benefit of "all who desire wholesome entertainment."

The films are grouped in three classes—A, B and C. Those in the first class are described as "approved"; those in B as "not approved for children," but "neither approved nor disapproved for adults," and those in C as "not approved." The listing takes up a full page, at the bottom of which is the caption: "We aim to build—not destroy."

Eagles Decline to Act on Film Drive

Cincinnati, Aug. 28.—The Grand Aerie of the Fraternal Order of Eagles, in national convention here, defeated a resolution asking participation of the order in the Legion of Decency movement.

In recommending defeat, the resolutions committee pointed out that it was not the intention to create the impression that the order opposes the moral crusade inaugurated here by Archbishop John Timothy McNicholas, but that participation or nonparticipation in the crusade rests entirely with each individual member of the order.

Two Slams at Films

East Liverpool, O., Aug. 28.—The annual five-day sessions of the Pittsburgh conference of the Free Methodist church concluded here after adopting a resolution condemning salacious pictures, divorce and racketeering.

Lakeside, O., Aug. 28.—The Young People's Christian Union of the United Presbyterian Church, in convention here, adopted a resolution condemning modern motion pictures as "a menace to morals."

To Discuss Wage Row

Los Angeles, Aug. 28.—The major subject of discussion at the first membership meeting tomorrow of the revamped I. T. O. of Southern California will be the independent exhibitors' stand on the local projectionists' wage scale dispute, now in the hands of Charles H. Cunningham, NRA official.

Revamped Saenger Co. Step Nearer

(Continued from page 1)

ficates authorizes Saenger to proceed with reorganization without additional steps prescribed by the Federal Securities Act and required of companies in reorganization whose certificates are not approved by a Federal court.

The Saenger reorganization plans have been revised to conform to the new status of the companies as debtor corporations, the principal change involved being the provisions made for stockholders of the companies. Paramount Publix owns all of the outstanding stock of Saenger except 20 shares of Class B common. Paramount's holdings, therefore, are 18,000 shares of preferred, 100,000 Class A common and 12,380 Class B common. Saenger owns all of Saenger Realty Corp., Inc.

With today's court approval of the deposit certificates, notices of the plan of reorganization may be sent out to bond depositors at once. These depositors then have 15 days in which to withdraw from participation in the plan if they desire. Providing more than 51 per cent of the bondholders remain as depositors, Paramount Publix will apply in Federal Court at New York for authorization to participate in the plan and if this authorization is obtained, the plan may be placed in effect by Sept. 15.

What Plan Provides

The Saenger reorganization plan reduces the circuit's holdings to 45 houses from the former 160 holdings in eight states which it controlled or was affiliated with at the time of its receivership 18 months ago. E. V. Richards is continued in charge of the circuit with a 50 per cent stock interest in the reorganized company, of which he will be president and general manager.

Under the plan, Paramount Publix receives all of the stock of the new company but agrees to sell Richards the Class A stock for $25,000, retaining for itself all of the Class B. Paramount also receives all of the stock of Publix-Saenger Theatres, Inc,; 1,400 shares of Class B stock of Dent Theatres, representing a 25 per cent interest in that company held by Saenger; all of the preferred stock and 50 per cent of the common stock of Central Florida Theatres and half of the capital stock of Jefferson Amusement Co. of Texas.

Paramount holds a claim of $546,454 against Saenger and the latter a claim of $319,397 against Saenger Realty. Paramount has also financed the acquisition of outside claims against Saenger which it proposes to turn over to the new company without warranty under the plan, and agrees to advance costs of the reorganization, pay other commitments of Saenger's and advance working funds to the new company if needed.

To Film 'Beggar's Opera'

Hollywood, Aug. 28.—"The Beggar's Opera," the famous John Gay piece created in 1728, will be filmed by Warners.

"U" Borrows Miss Farr

Hollywood, Aug. 28. — Patricia Farr has been borrowed from Fox for the feminine lead in Universal's "Tailspin Tommy."

. . . . MORE THAN A CROWD RADIO CITY

- **Second week way above first-week average business in the world's largest city.**

- **Tremendous hold-over weeks,** too, in medium-size cities . . . the STRAND, LOUISVILLE, the NEW, BALTIMORE . . . Playing an extended first-run at the STRAND, ATLANTIC CITY . . . AND ALREADY DATED IN for a third week at ATLANTIC CITY'S CAPITOL!

- **Off to a sensational start at the** WARFIELD, SAN FRANCISCO . . . the PARAMOUNT, ATLANTA . . . the APOLLO, INDIANAPOLIS . . . the POLI, NEW HAVEN.

- IN EVERY LOCALITY . . . with every type of audience . . . "The Cat's Paw" is proving Harold Lloyd's mightiest hit.

QUARTER OF A MILLION PEOPLE*
MUSIC HALL IN TWO WEEKS!

** According to authorized estimate*

HAROLD LLOYD

in

The Cat's Paw

From the Saturday Evening Post story
by **CLARENCE BUDINGTON KELLAND**

PRODUCED BY THE
HAROLD LLOYD CORPORATION

A FOX release

Every thing *new* but these

C. A. Meeting Today on New C. & Z. Plans

Campi's clearance and zoning committee meets this afternoon to discuss ways and means of expediting clearances in all territories. The move is an effort to get sales going in territories where deals are being held up by appeals on schedules.

Exhibitors in many zones are understood demanding that new schedules be scrapped and that clearance and zoning problems be tackled by local boards. Campi, however, feels that local boards are not fully acquainted with all provisions of the code to qualify, pointing to the Milwaukee instance where a dual penalty clause was inserted. The code does not mention duals in any sense and Campi ruled out all reference to it in all schedules.

The Los Angeles schedule, another target for independent producers and distributors because it contains a dual penalty provision, was slated to come up this week for protest, but the hearing has been postponed until Campi decides tomorrow what new line of action should be taken on clearance.

May Call on Berinstein

Ben Berinstein, said to be a partner of Warners in the Wiltern, Los Angeles, and representing Associated Exhibitors and the I.T.O. of Southern California, will be at Code Authority today in the event he is called upon to discuss the coast plan.

The I.T.O. is understood to have recalled Berinstein as their representative, but he knows nothing of the matter and neither does Campi. Berinstein says he was asked by the I.T.O. to represent them before he left the coast and is not particularly concerned whether or not this unit wants him to act for it. Berinstein refused to divulge the purpose of his visit, but he is understood here to defend the double bill penalty clause. He leaves for the coast either tomorrow or Friday.

Meanwhile, I. E. Chadwick, spokesman for independent producers, has canceled his plans to come east tomorrow. That's because a protest hearing on the Los Angeles schedule was called off.

Just what line of action Campi will pursue in trying to expedite clearance cases could not be learned yesterday, but a plan will be agreed upon tomorrow. In the event the L. A. schedule is dated for hearing, Chadwick will personally defend unaffiliated producers.

Mason May Be Retained

There is talk of Lowell Mason being retained by independent producers on duals, but as yet no assignment is in sight. He may be called upon later, it is admitted, to defend independent producers and distributors on other code matters.

Campi is receiving telegrams from many exhibitors recommending methods of immediate disposition of clearance problems. I. Chotiner, coast exhibitor, is one of them. These suggestions will be submitted to Code Authority tomorrow.

Aaron Saperstein, Chicago Allied head, last week told Motion Picture Daily that the quickest way to dispose of all code complaints is to set up six district bodies which will sit once a week and dispose of all cases before them. Campi, according to the plan, would only act on vital issues.

Looking 'Em Over

"Girl in Danger"

(Columbia)

The acting of Ralph Bellamy and Shirley Grey makes this a fairly entertaining picture that should do well in small towns and neighborhoods, although it may run into some difficulty because of its gangster theme. Ross Lederman directed capably and injected all the entertainment value that a weak story had to offer. Benjamin Kline's photography is good.

Miss Grey, a society girl bored with the forced gayety and uselessness of her set, becomes involved with a crook in order to find adventure and new thrills. She aids him in stealing a valuable jewel and hides it when the police get too close to their trail. Her accomplice is murdered by a rival gang before she can return the jewel to him and she herself is kidnaped by the murderers.

Bellamy, inspector of police assigned to the case, meets her in the meantime and discovers the stone hidden in her apartment while searching for possible clues left by her abductors. After a chase through city streets in madly careening autos, Miss Grey is rescued, and the crooks apprehended. The fade-out shows Miss Grey, in the presence of Bellamy, vowing to stick to the straight and narrow in the future and it is left to the audience to guess whether or not love blossoms between the two. Running time, 62 minutes.

"The Fountain," tomorrow's opener at the Music Hall, was reviewed by wire from Hollywood on Aug. 10.

"We're Rich Again," tomorrow's opener at the Roxy, was reviewed from the coast by wire on June 13.

"Chained," Friday's opener at the Capitol, was reviewed from the coast by wire on Aug. 14.

"Crime Without Passion," which opens at the Rialto Friday night, was reviewed on Aug. 18.

Maintains Campi Should Prosecute

Declaring Code Authority should prosecute all violations brought to its attention by exhibitors, Howard S. Cullman stated yesterday he will not defend complaints filed by the Roxy against the Mayfair and Globe for distribution of cut rate tickets.

Cullman holds that as soon as an exhibitor finds another violating the code it is the duty of local boards to stop the violations. He adds that violations are not matters between theatres because the complainant discovers them.

The Mayfair is understood to have stopped distribution of service passes with bookings of M-G-M and Fox product.

Both complaints are slated for rehearing tomorrow before the local grievance board.

W. B. End More Units To Simplify Taxes

(Continued from page 1)

various Stanley companies were merged into the Stanley Co. of America and when several coast properties, held in the names of individual corporate entities, were consolidated with others.

Shorts in Own Plant

Hollywood, Aug. 28.—Columbia has moved its shorts department to the California Studios across the street from the former quarters in a new expansion move.

"Untold Confusion" Seen Over Zoning

(Continued from page 1)

Wichita, Kan., are pending with Code Authority.

Possible absence of a new plan also makes the independents apprehensive that the circuits will thus be in a position to buy protection over the subsequents. Reports that protection deals with distributors are already under way are denied by the exchanges.

Exhibitors point out the existing schedule has been ignored and invalidated in the past year as a result of the spread of duals at first runs and subsequents, by price reductions and the practice of some exchanges to permit showings out of spot. Fox Midwest at a recent grievance board hearing maintained no zoning existed, but was overruled by the board.

Exchange managers say they are not worried because they will not start selling to subsequents in the city for about two weeks or more, and by that time they anticipate the situation will be clarified. One branch manager believed his company would add a rider to contracts declaring the stated clearances subject to any action of the local clearance and zoning board, and in the absence of any decision then the old zoning would hold.

Curbs Giving of Passes

Milwaukee, Aug. 28.—The local grievance board has issued a cease and desist order against the Ace, operated by Albert Nichols, charged with giving advertising passes promiscuously for a five-cent service charge and admitting children for five cents and less. The Atanasoff brothers, operating the World, were the complainants. Both are local houses.

Warning by Pa. MPTO on High Rentals

Philadelphia, Aug. 28.—A warning has been broadcast to exhibitors by the M. P. T. O. of Eastern Pennsylvania, Southern New Jersey and Delaware to guard against high-percentage deals.

"Don't sign 40 or 50 per cent contracts with anybody," says a letter sent out by the group over the signature of George P. Aarons, its executive secretary and counsel. "If you do, you are only cutting your own throat. The New York offices of the other companies soon get this information and the battle for higher film rentals becomes more intense."

The exhibitor who has already signed a contract calling for high percentages is advised to "keep your ear to the ground so that if they change policies and reduce these prices to other exhibitors, it is then your right to go into that exchange and demand a reduction also."

Explaining that "definite information" has been received by the organization that "certain distributors ask 40 and 50 per cent for pictures," the letter continues:

"Some of these pictures have no stars or designated titles as yet. We all know that exhibitors cannot make money playing that kind of percentages. Upon careful check, we find Metro-Goldwyn-Mayer, with admittedly the best known stars in the industry, are only asking four pictures at 35 per cent, and it would seem that if this company can afford to sell stars of definite box-office value as they have proven to be in the past, it is a big mistake to purchase pictures from other companies at higher percentages. It's unfair to yourself and unfair to the companies playing fair with you."

Rosenblatt Praises I. A. for Cooperation

Chicago, Aug. 28.—The I.A.T.S.E. has been the easiest to work with, and from it he has been accorded more cooperation than from any other international, declared Division Administrator Sol A. Rosenblatt at the dinner to George Brown, Monday evening. He stated the NRA is not only for a "New Deal," but for a square deal, for labor as well.

The function at the Stevens was attended by 3,000, including the mayor, William Green, president of the A. F. of L., city officials and ranking members of the municipal judiciary. Brown, new I. A. president, was presented with a small gold gavel and a diamond-set studded organization emblem.

Back in Washington

Washington, Aug. 28.—Division Administrator Sol A. Rosenblatt returned today from Chicago where he attended a banquet in honor of George Brown, I. A. T. S. E. president.

George Brown, president of the I. A. T. S. E., and Louis Krouse, executive assistant, return from Chicago today.

Variety Club Chatter

Albany

Albany, Aug. 28.—The following committees have been set up by the local Variety Club:

Membership—C. H. Buckley, chairman; H. Frieder, J. Swartout, A. Stone, C. Johnston, N. Sauber, R. Pielow, T. Ryan, C. Eastman, R. Smith, C. R. Halligan.

Legal—G. Green, chairman; H. Frieder, S. Aaronowitz, Wm. Benton.

Publicity and Exploitation—C. Smackwitz, chairman; W. Haskill, vice-chairman; G. Williams, N. Sauber, E. Hollander, H. Smith, S. Beatty, J. Fitzpatrick, J. E. Scully.

House—A. Sayles, chairman; T. Ryan, R. Smith, Ralph Pielow, N. Sauber, J. Garry, L. Lazar, C. Johnston.

Reception—R. Smith, chairman; R. Pielow, H. Barker, E. Dorwald, V. Bunz, E. Hockstim.

Social Welfare—C. R. Halligan, chairman; C. Feld, F. Duffy, S. Goldberg, Sam Hockstim, B. Wells, J. Wolfe.

Ways and Means—L. Lazar, chairman; H. Grossman, Alex Sayles, R. Pielow, J. Swartout.

Transportation—B. Dare, chairman; H. Alexander, J. Gardner, J. Goldberg, A. Marchetti, J. Rose, P. Wallen, C. Wilson.

Welfare—C. Johnston, chairman; J. Gary, vice-chairman; W. Sherry, W. Raynor, J. Goldberg, L. Herman, S. Rosenblatt.

Financial—T. Shea, chairman; A. Stone, C. Eastman, J. Faughnan, M. Kallet, M. Schine, W. Smalley.

Entertainment—J. Shure, J. Bullwinkle, M. Grassgreen, O. Perrin, C. Smackwitz, W. Farley, R. Hayes, J. Gary.

Cincinnati

Cincinnati, Aug. 28.—The local clubrooms were popular with the advance delegates to the state and national convention of the Fraternal Order of Eagles, held here recently. They were lavish in their praise of the hospitality extended.

Chief Barker Allan S. Moritz is well on the road to recovery from the illness which kept him at home for a fortnight.

J. Real Neth of Columbus Tent No. 2 was a recent visitor at the local club.

Maurice White, canvassman, is rapidly getting his bearings on the exhibition end of pictures, after having been a distributor for these many moons.

Barker William Stiegler has taken a fortnight out to look over the Island of Bermuda.

Detroit

Detroit, Aug. 28.—The Motor City's Film Row was practically deserted Saturday as Variety Club's midsummer frolic was held jointly at the Lochmoor Country Club and the Grosse Pointe Yacht Club.

The gala affair started with a golf tournament. Those who did not care to chase the little white pill, contented themselves with a round of horseshoe pitching, baseball and various other sports. A delicious buffet luncheon was served in the clubhouse of the Yacht Club at noon along with free beer. The afternoon was spent in more golf, bridge, cards and parties. A beauty contest was a feature of the day. Leading dignitaries of civic life attended and judged the event. Dinner was served on the terrace of the Grosse Pointe Yacht Club with music furnished by Dave Diamond and his Della Robbia orchestra.

Dancing held the attention of the guests in early evening with Del Delbridge and his orchestra furnishing the music. A floor show with talent furnished by local theatres, night clubs and broadcasting stations wound up the affair with every one singing praises for the committee in charge for such a delightful day of fun and frolic.

Over 100 prizes were awarded to winners of various events and door prize winners. The entire proceeds will be turned over to the fund for needy in the industry.

Over 800 Variety members, filmites, exhibitors and their friends were in attendance.

Indianapolis

Indianapolis, Aug. 28.—The local Tent held a "Stingaree" party in the clubrooms in the Claypool and more than 100 members, wives and guests were there at one time or other during the night. Musical entertainment was provided by Walt Lally, pianist, and the Titian Melody Girls.

Barker A. C. Zaring had one of the largest parties in attendance.

The party was scheduled as a resumption of activities after a lull during the extreme heat.

Pittsburgh

Pittsburgh, Aug. 28.—A national meeting of the Variety Club could very easily have been held in Atlantic City the last couple of weeks. Chief Barker Frank Drew and Assistant Chief Barker Nat Holt, both of Cleveland, together with Norman Frescott, Moe Glanz, Harry Harris and Chief Barker John H. Harris, all of Pittsburgh; George Tyson and Johnny Perkins of St. Louis, seen daily on the beach in front of the Traymore.

Newly elected Barker George G. Altmayer also a member of these beach gatherings.

The fish got a good workout—Perkins, Frescott, Harry and John Harris, Leo Altmayer, Andy Sheridan, Eddie Schweinsburg, pulling them in plenty fast. Frescott led with the greatest number and Perkins with the largest one. Johnny Harris got the only weakfish, but finished last in the number of fish. The party brought in over 100. But Harris sneaked out at 6 A.M. with the lifeguards, rowed out two and a half miles and brought in 47 more by 9 A. M. After the fishing was over he jumped in the big pond from the boat. "Be careful," called the guard, "plenty of sharks here."

"That's no concern of mine," replied Harris, "I'm in the film business."

Andy Sheridan wanted to bet on a dog on the nose. Got his ticket and the dog came in second. Was he surprised when he was told he went to the wrong window and had a ticket for second place . . . and pleased. The same fellow had a stranger call his attention to the fact that he had five in a row in the Bingo game and had it for several minutes. What luck!

Barker Mike Gallagher proved the old adage "honesty pays." Driving through a suburban town, he, in error, passed a red light. On the way back he stopped at the police station and reported it. He was told to go home and forget it. The next day's mail brought a summons.

George Tyson, formerly assistant chief barker of St. Louis, now transferred to his original tent—Pittsburgh—did a fine job in St. Louis. He has appointed Barker Bill Zeilor as house manager of the New Alvin Theatre which is under his direction.

Bill Rodgers, George Dembow, Jack Flynn, Sig Wittman, all visitors recently.

Harry Michaelson presented an RKO luncheon recently. He had announced Ann Harding, Katharine Hepburn, Joel McCrea and others of his studio stars were not expected to be there.

Washington

Washington, Aug. 28.—Tent No. 11 took time out from official duties last week to avail itself of the hospitality of Barker A. Julian Brylawski. Twenty-two barkers journeyed to mine host's summer cottage, "Flora Dora," on the Wicomico River.

The day was spent in sheer amusement along non-cinema lines, with swimming, croquet, boating, pitching horseshoes, and cards. In the last category, Nat B. Browne took on all comers—even on the return bus trip home.

Principal divertissement, about which the barkers are still talking, was the gastronomic spread laid by "Santa Claus" Brylawski. From his private beds were dished up oysters in sundry culinary forms, three kinds of fish fresh from the river, roasting ears, hot bread, hard-shelled crabs, watermelon, and two kinds of beer.

The first of the fall luncheons will be held on Sept. 10.

Leader in Greece

Washington, Aug. 28.—Eleven American producers supplied 53.2 per cent of the 248 films released in Greece from October, 1933 to May, 1934, according to a report to the Department of Commerce from Commercial Attache K. L. Rankin in Athens.

Adding a few miscellaneous films, American participation in the Greek trade approached 57 per cent of the total. Many of the American films shown were dubbed French versions.

Fulton Gets Fourth Spot

Kansas City, Aug. 28.—W. D. Fulton has added a fourth house, the Tivoli, to his string of neighborhood theatres in Kansas City, making it the largest independent group here. He has leased the Tivoli for five years with an option for five more from Stanley H. Schwartz, the former operator. Schwartz, an attorney, plans to return to the legal field.

One In, One Out

Albany, Aug. 28.—Gustave Haenschen, Inc., New York City, has been chartered at Albany with capital of 100 shares non par value stock to exhibit. Martha Porner, Max H. Galfunt and Leonard D. Picker are directors and subscribers. William Jaffe is attorney.

A certificate has been filed with the Secretary of State dissolving Pauline Cooke Theatrical Enterprises, Inc., New York City. Papers were filed by Julius Kendler, attorney.

Asks Winchester Permit

Winchester, Mass., Aug. 28.—Albert J. Locatelli, who operates theatres in several of Boston's suburbs, has purchased a plot here. He has requested a referendum again on the question of building a theatre here. The town has refused to sanction one on several previous occasions. It is probable the question will be put on the town ballot sometime next spring, after the annual election in March.

Two-way Headquarters

Columbus, Aug. 28.—In order to facilitate personal contact with exhibitors, P. J. Wood, secretary, Independent Theatre Owners of Ohio, hereafter will maintain permanent headquarters in Cleveland and Cincinnati, spending alternate weeks in each city.

Para. Director Switched

Hollywood, Aug. 28.—Mitchell Leisen, slated to direct "The Menace," has been taken off the picture and put on "Red Woman," B. P. Schulberg production to star Sylvia Sidney. No director has been assigned in his place.

Ritchey to Export

Hollywood, Aug. 28.—Jed Buell and Bob Klein have signed with Ritchey Export Company to handle the foreign release of the three features they will produce at Sennett.

Protest Dubbed Imports

Bombay, Aug. 28.—A deputation of the Motion Picture Society of India waited on Sir Frank Noyce, member of the governor general's Executive Council, here recently and protested against the proposed import of films "dubbed" in native vernaculars.

The deputation also protested the proposed increase of duty on projectors imported from England and the increase of duty on non-English projectors from 10 per cent to 20 per cent.

Beacon Starts Series

Hollywood, Aug. 28. — Beacon Prod. has begun production on its series of six westerns starring "Big Boy" Williams with "Thunder Over Texas."

The cast includes Marian Shilling, Victor Potel, Philo McCullough. Ben Corbet. Claude Paton, Bob McKenzie and Baby Westcott. Edgar Ulmer is directing.

LABOR DAY WEEK ATTRACTION AND 200 LEADING THEATRES

The one story chosen from thousands to open a year of finer screen entertainment! Charles Morgan's notable novel of three lives caught in a whirlpool of passions . . . a glorious woman and two men who loved her!

A HUMAN DRAMA THAT LEAPS FROM THE DEEPEST WELLSPRINGS OF YEARNING HEARTS!

ANN HARDING

with

BRIAN AHERNE
PAUL LUKAS
JEAN HERSHOLT

CHARLES MORGAN'S GREAT NOVEL BROUGHT TO THE SCREEN AT THE HEIGHT OF ITS WORLD ACCLAIM! . . .

DIRECTED BY JOHN CROMWELL
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OVER THE COUNTRY!

Twenty minutes of enchantment! . . . The Little Feature in radiant Color that is the year's big screen sensation! Romance, melody, drama, dance and ravishing beauty!

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DON ALVARADO · PAUL PORCASI
EDUARDO DURAND and His Orchestra

"YOU WILL PLAY IT AGAIN AND AGAIN!"

Produced by Kenneth McGowan
Directed by Lloyd Corrigan

A PIONEER PICTURES
PRODUCTION
•
RKO-RADIO PICTURE

No Complaints In Houston in Face of Heat

HOUSTON, Aug. 28.—In the face of the hottest summer on record and parts of the state suffering from one of the worst droughts in history, Houston theatres have emerged from the bugaboo without a scratch and with something of a record on the right side of the ledger. The hot weather slump just didn't arrive.

Instead, a gross record for the year was chalked up at one house this month and another has a record of losses on but three pictures since Jan. 1. Attendance has held up above average for the hot weather at all theatres, even in the face of growing popularity of night club spots and national attractions at some of them such as Ben Bernie and Guy Lombardo and the ever popular beach resorts.

Exhibitors agree that this has been the best show summer since 1929. Stage shows at the Metropolitan were dropped for the summer, but a 25 minute orchestra program in two sections, featuring semi-classic and popular numbers, split by a newsreel and cartoon, was substituted.

"The Girl from Missouri" broke the year's record at Loew's State for the first week and was held over a second to chalk up average business. "Handy Andy" and W. C. Fields were chief opposition.

With an average week for summer at Loew's running around $6,000, "The Girl from Missouri" in the first week drew an estimate of $10,000.

New Warner Series Makes Capital Bow

WASHINGTON, Aug. 28.—The first four subjects in Vitaphone's "See America First" series of 13 one-reelers founded on American history made their bow today at the Mayflower in the presence of government officials, Warner executives, theatre folk and press representatives. The quartette —"Pilgrim Days," "The Boston Tea Party," "Hail Columbia" and "Dixie Land"—were viewed by a gathering of nearly 100.

The screening was preceded by a reception given for E. M. Newman, under whose direction the films are being made; John B. Kennedy, who is the narrator; Sam Sax, in charge of production at the Brooklyn Vitaphone studio, and Norman Moray, Warners' shorts sales manager. Albert Howson was present as the personal representative of Harry M. Warner, the death of whose mother prevented his attending.

A. Julian Brylawski, Warners' Washington representative, handled the affair.

Told to End Free Shows

KANSAS CITY, Aug. 28.—The local grievance board has ordered Ed Kelso to discontinue free shows at Granite City, Ill., on complaint of R. O. Robison, exhibitor of the same city. Another complaint involving free shows has been dismissed. The defendant was Robert King of the Interstate Film Exchange here. King testified he did not furnish film for gratis performances at a local park.

What N. Y. Critics Think

Consensus of New York critical newspaper opinion on pictures current along Broadway:

"Dragon Murder Case"

(*First National*)

American—An amusing, if routine, mystery meller, played by a cast of skilled troupers, and featuring the magic names of Philo Vance and his creator, S. S. Van Dine, provides pretty fair fun***

Daily Mirror—The case itself is slightly less mystifying and less convincing than most of the Van Dine stories. But it's entertaining enough.

Daily News—***not one of the best of the Vance tales, for it hasn't as absorbing a story, nor as interesting a group of characters as some of the other stories. The dialogue is a little strained, and it is hard to believe that any one would take seriously the talk about dragons.

Evening Journal—It's a nicely done but routine little melodrama that offers less suspence and ingenuity than the previous Van Dine opuses. The cast is satisfactory,***

Herald-Tribune—***one of S. S. Van Dine's decidedly minor works,***it is my duty to inform you that the resulting photoplay is the least effective of all the Philo Vance cinema narratives.

Post—Though the mystery is far-fetched, it is at least successful in covering up both the motives and the clues to the crime.

World-Telegram—***suave Warren William giving a quite effortless performance as Philo Vance who solves all the murders. I wish I could say one tenth as much for the film; I wish, indeed, that I could say anything at all for the film. I can only say against.

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"She Was a Lady"

(*Fox*)

American—A weak, rambling little picture offers indifferent entertainment *** and even the presence of Miss Twelvetrees in its starring role cannot elevate its beyond mediocrity.

Daily Mirror—***tepid melodrama which is not quite worthy of the excellent cast which was assembled to play it.

Daily News—The set-up is by no means unique in cinematic manufacture, but the manner in which "She Was a Lady" is handled may result satisfactoriy for fans who admire the work of Miss Helen Twelvetrees, Messrs. Ralph Morgan, Donald Woods and Monroe Owsley, all well-known to metropolitan audiences.

Evening Journal—Miss Twelvetrees is decorative and Doris Lloyd gives a good performance as the embittered mother, but the rambling little plot is put together in mediocre fashion.

Herald-Tribune—This unfortunate little item tells the lugubrious story of the world's failure to appreciate Miss Helen Twelvetrees.

Post—Thanks largely to the sincere performance of Helen Twelvetrees, "She Was a Lady" takes on the texture of a mildly arresting drama of social conflict.

Sun—***a picture as complicated as it is pointless. "She Was a Lady" is its name, and its author is Elizabeth Cobb, daughter of Irvin S. Cobb. Whatever the original novel may have been, this screen version is a sorry affair.

Times—Although the early parts of the picture attack the theme intelligently, later episodes are emphatically incredible.

World-Telegram—The efforts to please at the Mayfair this week, while earnest, are unavailing, and so "She Was a Lady" must be registered among the disappointments.

●

"Hideout"

(*M-G-M*)

American—Fragrant with the faint perfume of light romance, this amusing little comedy has been brought deftly to the screen***

Daily Mirror—***fairly pleasant little film in which the engaging Mr. Robert Montgomery gives one of the "cute" performances which invariably delight the matinee trade.

Daily News—Metro has washed the face of this gangster film so thoroughly that it shines with goodness and light and has little or no kick to it. Director W. S. Van Dyke***has handled the materials of "Hide-Out" with tongue in cheek, and with Montgomery's help has made it into an amusing piece.

Evening Journal—***sentimental little tale about a city slicker and a farmer's daughter. And it's pleasant entertainment, thanks to an excellent cast headed by Robert Montgomery and smart direction provided by W. S. Van Dyke.

Herald-Tribune—If you are not exactly overwhelmed with the fascination of***a plot, perhaps your interest will not be excited additionally by the news that there is no great novelty of direction or writing to provide freshness for a familiar story. Happily, however, the tale is narrated simply and with a handsomely unabashed earnestness.

Post—Though the story is told earnestly and acted persuasively by Robert Montgomery, it nevertheless leaves you convinced that a crime wave could be halted and turned back on itself by subjecting every miscreant to an interlude of pastoral association with Miss Maureen O'Sullivan.

Sun—The influence of the League for Decency is still upon us. The Capitol has a picture that changes colors half way through, turning from an old-fashioned gangster melodrama of Broadway, glittering with platinum blonds and hey-hey night clubs, to a simple tale of romance on a Connecticut farm.

Times—W. S. Van Dyke***again displays his keen sense of humor and his shadow-story telling ability***

World-Telegram—***a generally entertaining little screen item.

Finishes Buy, Goes Home

SEATTLE, Aug. 28.—After an absence of six weeks in New York and Los Angeles booking product for the Evergreen circuit, Al Finkelstein has returned. He will be followed by Frank L. Newman, Sr., general manager of the chain, now in Portland, supervising the opening of the Paramount there under Evergreen's banner.

Dyer, Air Expert, Signed

HOLLYWOOD, Aug. 28. — Warners have signed Elmer Dyer, stunt photographer, to a year's contract, figuring he will be a valuable asset in the filming of three air pictures now on schedule. First air opus will be "Murder in the Clouds," starring Lyle Talbot.

Jolson Back on Coast

HOLLYWOOD, Aug. 28. — Al Jolson hopped into town two days ahead of schedule by plane. Warners are now preparing his next vehicle, "Casino de Paree."

Called a Forward Step

COLUMBUS, O., Aug. 28.—In a regular service bulletin, mailed to nonmembers as well as those who have joined the I.T.O. of Ohio, P. J. Wood, secretary, points out that the recent affiliation with Allied is another forward step in making the organization "one of the outstanding independent state units of the country."

Mayfield Gets Its Films

LOUISVILLE, Aug. 28.—For the first time in history, Mayfield is to have Sunday shows, it was learned when managers announced the Legion and Princess would open Sundays. The Legion will operate seven days a week, while the Princess will be open only Saturday, Sunday and Monday.

Para. Re-Signs Werker

HOLLYWOOD, Aug. 28. — Alfred Werker has been signed to a new ticket by Paramount as a result of his work on "You Belong to Me," which had a recent preview.

Production Level Even; 36 in Work

HOLLYWOOD, Aug. 28. — Production last week remained on a fairly even keel with the average during the past four week period. A total of 36 features was shooting, 19 in preparation and slated for the stages within two weeks and 40 in the cutting rooms for final shearing. Short subject production dropped off slightly with seven shooting, three preparing and 10 in for editing.

Paramount leads with seven before the cameras, two preparing and two editing; Fox has five, four and two; Warners five, two and eight; M-G-M three, three and eleven; Universal three, zero and three; Columbia three, one and two; Radio four, zero and zero; Roach one, one and zero; Goldwyn one, zero and one. The independent group chalks up four, six and nine.

The shorts checkup reports Universal, Roach, Columbia and Radio with one shooting. M-G-M, Columbia and Roach each have two in the cutting room. For the independent group three shooting, three in preparation and six editing.

Holds Music, Dances Add Inter'l Appeal

World circulation of pictures is increased from approximately 50 per cent to approximately 90 per cent by the insertion of music and accompanying dance routines, according to Dave Gould, dance director for Radio.

Half of Radio's product for next year will include music in some form or other with appropriate dances where possible, Gould continued.

Gould, in town on a vacation from the studio, plans to remain here until the end of next month and will spend most of his time in search of new material.

Seattle Races Big Draw

SEATTLE, Aug. 28.—More than $2,000,000 has been wagered here during the past six weeks at Longacres horse racetrack, it has been announced. Attendance at sessions during the week averages from 5,000 to 7,500 persons, and Saturday and Sunday attendance reaches around 15,000 each day. Admission is 40 cents. Five per cent of the total wagered in the pari-mutuel system goes to the State old age pension fund. Track operators get 10 per cent. Hundreds of inches of free publicity are donated by the newspapers of the city to the racing plant.

Tokio Strike Peters Out

TOKIO, Aug. 28.—A strike of theatre employes in protest against sound pictures failed here yesterday with the reopening of 70 houses which had closed for a short period.

Goes to "High Fidelity"

Thirty-one RKO houses in 15 principal cities will be equipped immediately with Photophone "High Fidelity" apparatus, according to E. O. Heyl.

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MOTION PICTURE DAILY

Alert, Intelligent and Faithful Service to the Industry in All Branches

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8,000 Houses In a Fund to Fight ASCAP

Penny a Seat, Basis—All Circuits In

Representatives of approximately 8,000 theatres yesterday pledged a penny a seat contribution to the "war chest" being raised by the national exhibitors' emergency committee to prosecute a court battle against the American Society of Composers, Authors & Publishers as part of the campaign of opposition to the increased music tax schedules which the society proposes to place in effect Oct. 1.

It is estimated that the penny-a-seat contribution will produce between $30,000 and $40,000 from affiliated circuits alone. These include

(Continued on page 6)

ITOA Terms Rental Hike Demand Unfair

Contending that exhibitors in the local territory have not increased admissions during the past year, members of the I.T.O.A. yesterday charged local exchanges as being unfair in their demands for increased rentals and percentages. The meeting was held at the Astor.

The new season's product was discussed for practically three hours and every company's releases analyzed. No resolutions were passed.

Because Harry Brandt, president, had to leave during the meeting no union matters were touched upon.

Stage Shows Return In Pittsburgh Soon

PITTSBURGH, Aug. 29.—With the consummation of all union deals, Pittsburgh's two de luxe houses, the Penn and Stanley, will swing into heated stage show competition the week of Sept. 7 when the Stanley plays Dick Powell in person and the Penn has Ted Lewis and his band. It will mark

(Continued on page 7)

Midwest Deal Would Give Control to Fox

KANSAS CITY, Aug. 29.—Fox Midwest is negotiating for the Electric in Kansas City, Kan., formerly operated by Paramount. If the deal goes through it will give Fox complete control of the first run situation in that city.

Ed Grubel, one of the owners, told

(Continued on page 7)

$33,000,000 U. S. Funds To Brush Up Theatres

Chicago Bullish; $500,000 Already to Remodel Houses

CHICAGO, Aug. 29.—This city along the lake is preparing for better times and backing up its belief with deeds to prove it.

A half million dollars or more will be spent before the end of the year in remodeling local theatres and the construction of one or more new ones.

A new theatre for which ground will shortly be broken and which will be completed around Christmas is a house to cost $200,000 to be leased by Warners and located in the Beverly Hills section. Equally indicative of business in exhibition circles generally is the fact that a similar sum is slated to be expended in the remodeling of present houses.

A survey of the local situation points but in one direction. Exhibitors are entrenching themselves. Theatre properties with any chance of registering in the black are at a premium and,

(Continued on page 6)

Setback Seen In Revamping Of Paramount

Expectancies of reorganizing Paramount Publix by Oct. 1 appeared to be greatly lessened yesterday as progress toward the settlement of the trustees' suit to set aside the $13,200,000 credit transaction of 1932 between Film Production Corp., a Paramount subsidiary, and 12 creditor banks met with new delay.

Outcome of the suit involves the status of the banks as creditors of Paramount Publix and pending its settlement no final action on reorganization is possible, it was stated.

The Paramount trustees allege in their suit that the 1932 credit trans-

(Continued on page 4)

Philadelphia Duals Target Of Exchange

PHILADELPHIA, Aug. 29.—Distributors are gradually eliminatnig duals from the local territory and, according to current figures, only about 50 smaller neighborhood houses are twin billing.

Exchanges are inserting clauses in sales contracts prohibiting another feature to accompany the one brought from an individual branch. If exhibitors refuse to sign the clause, it is understood product is refused him.

Although it is not expected that all houses will abandon doubles, the general impression is that eventually most of those now on two-feature policies will drop one.

May Allow Exhibitors at Large to Determine Zoning

Following a review of recommendations by 75 exhibitor organizations and circuits yesterday, Campi's clearance and zoning committee today will suggest to code authority that exhibitors in each territory decide whether or not they want clearance drafts as drawn by local code boards, it is understood.

Provided a majority of exhibitors in a given territory wants the schedules as already drawn, it can have them, it was the reported attitude of

(Continued on page 4)

Exhibition to Benefit Under New National Housing Act

The Federal Government is making plans to extend a possible $33,000,000 in credits to theatres for repairs under the National Housing Act, *Motion Picture Herald* will say today.

Definite knowledge that the theatre field was included under the terms of the act was obtained this week following an inquiry to the Federal Housing Administration in Washington. The query was prompted by the fact "it was felt in exhibition quarters that the Housing Act was only intended by the Administration to improve residences."

In announcing that theatre owners were eligible for credit under the act, the government made it clear, according to the publication, that "the loans shall be applicable to repairs and improvements which shall become a permanent part of the property, and shall not be expended for movable theatre equipment."

Exhibitors are warned that "the funds cannot be used to pay off back

(Continued on page 6)

Theatre Building Is Begun in the South

Theatre building is taking a sudden spurt in the South with at least six planned in the immediate future. The new structures are being erected in small towns and mostly by independents.

First of the group to be constructed will be an 800-seat house in Lumberton, N. C.

TORONTO. Aug. 29.—Theatre building is once more showing activity in the Dominion with new houses under way in Ontario and the Maritime Provinces. The latest for Ontario is a project at Ottawa where H. Berlin,

(Continued on page 7)

Loew Plans Houses In Calcutta, Bombay

Loew's has opened three new theatres in Australia and plans to build in Calcutta and Bombay, Harry Moskowitz, head of the construction department, stated yesterday upon his return from a nine-month trip abroad.

The new houses are in Brisbane, Sydney and Melbourne, the first seating 1,400; the second, 1,700, and the

(Continued on page 7)

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U. A. Men Traveling In Near, Far Climes

United Artists executives are keeping the Pullman and steamship lines busy these days.

Arthur W. Kelly, in charge of foreign activities, is now in Singapore and is not expected back for several months.

Arthur Guild is in South America.

Paul Burger left yesterday for a swing of western exchanges with Kansas City his first stop.

Joseph Moskowitz, slated to leave for the coast yesterday, again postponed his trip and plans to leave today or tomorrow.

Frank Underwood, eastern story editor for 20th Century, leaves for Hollywood after opening of "The Red Cat," Sept. 17 on Broadway.

Chevalier to Zanuck

HOLLYWOOD, Aug. 29.—Darryl F. Zanuck has borrowed Maurice Chevalier from M-G-M to star in 20th Century's "The Red Cat."

Vitaphone Shorts Set

Eighteen shorts, nine two-reelers and nine one-reelers are being edited for early release at the Brooklyn Vitaphone studio, according to Sam Sax.

Will Meet at Club

The I.T.O.A. shortly shifts its weekly meetings from the Astor to the M. P. Club. The A.M.P.A. resumes at the club about mid-September.

Insiders' Outlook

JIM CUNNINGHAM, in his "Asides and Interludes" column in *Motion Picture Herald* this week, tells an interesting yarn on how and why Campi's recent decision to keep duals and clearances on separate paths came about. In his words, here goes:

"There is a dramatic story behind the recent vote. . . . It is a story that is a highly flattering indication of the integrity of some people in this business and the sacredness of a gentleman's promise. The vote was a victory for both independent distributors and independent exhibitors. The story goes back to last summer, when, during the code-drafting proceedings at Washington Robert H. Cochrane, sterling vice-president of Universal, fought the larger companies against the inclusion of any dual bill ban in the code.

▼

"There were other vexatious questions which arose in the secret chambers of conference and in many of these Universal's position was opposed to several others of its large colleagues. Universal's agreement was necessary and so Sidney R. Kent, president of Fox, and Nicholas M. Schenck, president of Metro-Goldwyn-Mayer, pledged their word to Mr. Cochrane that if he would vote their way on the other questions, they would vote his way on double featuring.

▼

"When the question of doubles eventually came up again at the recent Code Authority hearing in New York, the promise made by Mr. Kent and by Mr. Schenck to Mr. Cochrane was wholeheartedly recalled by them and they both redeemed their promises 100 per cent, voting against the inclusion of any penalties for exhibitors showing two features. The vote was a close one. Had Mr. Kent and Mr. Schenck voted to penalize duals, the future of some independent distributors and the operations of some double bill theatres would have been in jeopardy."

▼

There's a gleam in Georgie Cohan's eye and it bespeaks a determination to prove to Manny Cohen and the Paramount bunch that he can and will be O. K. in pictures, despite "The Phantom President." That's why he is hanging around, even when the callboard doesn't carry his name, to see how "Gambling" gets on over at Eastern Service. Hovering close by, as well, is Harold B. Franklin whose first picture this will be. Harold says if "Gambling" proves to be nothing but that and his stage ventures go floppo, it's back to the theatre management for him. Only he doesn't think anything of the sort is likely to happen. . . .

▼

M-G-M paid $100,000 for "The Wandering Jew" and had to buy up all state righters' interests in the picture before announcement was made. It is figured Phil Meyer for the New York area will net about $20,000 on the deal. The Roxy and Criterion turned Meyer down on a booking, but one is now set for the Capitol, to follow "Chained." It goes in there either Sept. 7 or 14 and will break during the Jewish holidays. . . .

▼

Beclouded and bemuddled is the Fox Met. situation. That hearing, now slated for Sept. 12, is becoming more and more interesting. Still another group of minority bondholders may have something to say. In it are reported to be interests who originally sold theatres which went to make up Fox Met. but who now are interested, naturally enough, in efforts to recoup their investments, or maybe it's their losses. . . . What's this? Fox product in the metropolitan area may go to RKO after all? There'd be an upset for you. . . .

KANN

Warner Pfd. Off 3 on Big Board

	High	Low	Close	Net Change	Sales
Columbia Pictures, vtc	32¾	31¾	31¾	+ ¾	1,500
Consolidated Film Industries	3	3	3	.....	300
Consolidated Film Industries, pfd	13¾	13⅝	13¾	— ¼	200
Eastman Kodak	100½	100	100	+ ½	600
Eastman Kodak, pfd	139	139	139	— ¾	10
Fox Film "A"	12¼	11¾	12	+ ½	500
Loew's, Inc.	28½	27⅝	27¾	— ⅛	2,800
Loew's, Inc., pfd	92	92	92	.....	300
M-G-M, pfd.	26	26	26	.....	100
Paramount Publix, cts	4⅛	3⅞	4⅛	+ ⅛	3,000
Pathe Exchange	1¼	1⅛	1⅛	— ⅛	1,400
Pathe Exchange "A"	15½	15¼	15¼	+ ¼	1,100
RKO	2½	2½	2½	+ ¼	200
Warner Bros.	4¾	4½	4½	— ⅛	2,500
Warner Bros., pfd	17	17	17	—3	100

Technicolor Climbs 3/8 on Curb

	High	Low	Close	Net Change	Sales
Technicolor	13½	13⅛	13¼	+ ⅜	700

Para. B'way Bonds Drop 1 5/8

	High	Low	Close	Net Change	Sales
General Theatre Equipment 6s '40	6¼	6¼	6¼	+ ⅛	3
Loew's 6s '41, ww deb rights	102	101¾	101¾	— ¼	7
Paramount Broadway 5½s '51	38½	38¼	38¼	—1⅝	1
Paramount F. L. 6s '47	47	47	47	.....	1
Paramount Publix 5½s '50	47	47	47	—1	4
Pathe 7s '37, ww	99½	99	99½	+ ⅞	3
Warner Bros. 6s '39. wd	54¾	54⅛	54⅛	— ⅝	19

Purely Personal

WILLIAM RAYNOR, a different Raynor and formerly with First Division and Universal in Albany, has returned to New York for good. He doesn't like the winter upstate.

JACKIE BORENE, six-and-a-half-year-old boy from Toronto, has been signed by BEN HECHT and CHARLES MACARTHUR for their latest picture.

WILLIAM RAYNOR, formerly at the Paramount, Brooklyn, will be assigned to another Paramount theatre out of town within the next few weeks.

JULIET LOWELL, compilator of the "Dumb-Belle Letters," returned from abroad on the *Conte di Savoia* with a batch of new material.

CONSTANCE BENNETT sails today on the *Paris* for Europe. EDWARD V. DARLING is on the same boat.

AL TRAHAN starts work today in third of the Vitaphone vaudeville reels at the Brooklyn studio.

SI FABIAN reopens the Paramount, Brooklyn, tomorrow with "Cleopatra" and sans stage shows.

JOHNNY WEISSMULLER arrives today from the coast to attend the *Daily News* aquatic meet.

SAM SHIRLEY, Chicago M-G-M district manager, has returned west after a short visit.

DAVE GOULD, Radio dance director, was in the audience of "Saluta" on opening night.

AL GREEN, Warner director, is in town for a short stay. He's at the Warwick.

STUART ERWIN plans to leave for the coast Sept. 15.

LOUIS NIZER returns from Europe on Sept. 20.

Warner Offices Closing

The Warner executive offices will close at two o'clock today and remain closed the rest of the afternoon out of respect to the memory of Mrs. Pearl Warner, who died in Hollywood Monday.

Rabbi Sol A. Fineberg will conduct a memorial service in the Warner Club quarters.

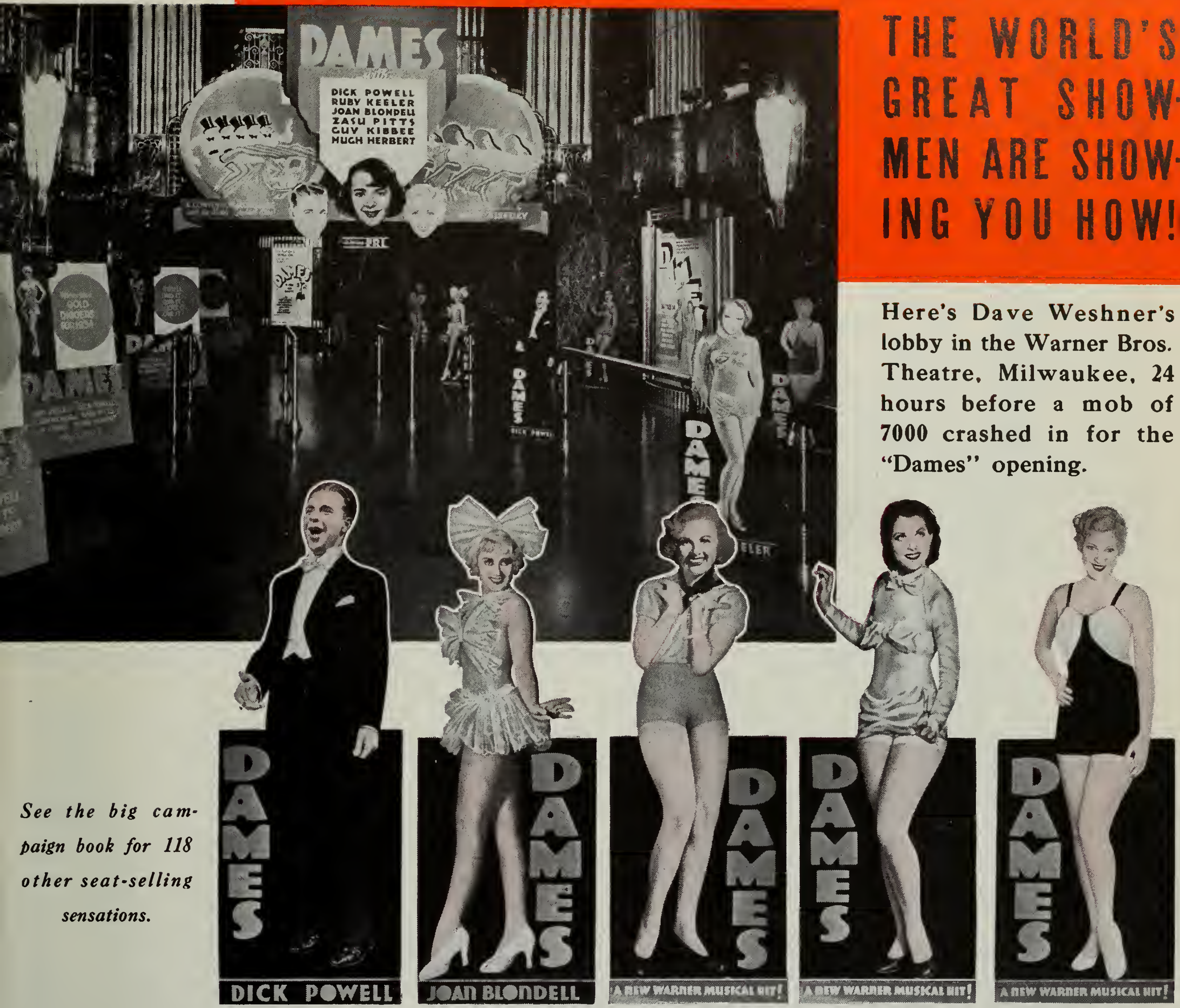
HOLLYWOOD, Aug. 29.—The body of Mrs. Pearl Warner will be laid to rest in the Warner family mausoleum in the Home of Peace Cemetery, Los Angeles.

Lon Young Quits Mascot

HOLLYWOOD, Aug. 29.—Lon Young has resigned as publicity director of Mascot to produce for Chesterfield and Invincible. Het Manheim of Universal is succeeding him.

YOU, *too*, CAN MAKE A HIT WITH "DAMES"

THE WORLD'S GREAT SHOWMEN ARE SHOWING YOU HOW!



Here's Dave Weshner's lobby in the Warner Bros. Theatre, Milwaukee, 24 hours before a mob of 7000 crashed in for the "Dames" opening.

See the big campaign book for 118 other seat-selling sensations.

BIGGEST SHOW BUY OF THE SEASON!

6 Life-size Full Color Standees for $15.00! (and worth 4 times the price)

62 inches high . . . . Dye-cut from heavy compo-board . . . . photographically reproduced in 9 brilliant colors . . . . Weather-proofed . . . . Easeled . . . . All ready to stop the show in your lobby! *Order a set from your Vitagraph exchange now.*

IT'S JUST *Warnerful* THE WAY THOSE WARNER BOYS BACK UP THEIR SHOWS WITH BIG TIME IDEAS!

Ad Insignia Will Specify Kind of Film

KANSAS CITY, Aug. 29.—An insignia in the form of a seal for use in all advertising copy is one step adopted by Fox Midwest Theatres as part of its plan to designate adult and family type pictures throughout the new season. The emblem will be uniform for all theatres.

The campaign manual stresses that, while all possible information will be furnished to managers, individual good judgment is vital to the success of the plan and managers must use tact and diplomacy if the tide of criticism is to be stemmed. Public relations in the local community will be part of the managers' duties, including contacts with organizations and ministers and assistance in organizing Better Films Councils.

Both the grouping system and "book trend" publicity are outlined as an adroit method of answering reformers without actually referring to the fact that the screen is being "cleaned up." Publicity will emphasize that "the best screen fare of the season will be adaptations from books, famous and popular novels and biographies and other sources favored by the advocates of 'better' motion pictures."

To Distribute Leaflets

Leaflets listing the literary attractions to be filmed this year will receive wide distribution in schools and colleges and among various organizations. The monthly review list distributed by the M. P. P. D. A. will be reprinted in condensed form and sent regularly to selected patrons and groups. The campaign will hammer away at the book idea, and adequate publicity material is provided for library and school contacts.

The first of a series of six institutional newspaper ads will appear throughout the division in a few days informing the public that "literature comes to life . . . the movies meet the demand of exacting public taste to produce the finest, most realistic pictures ever made." Copy will say the ads are published in the interests of better pictures by the advertising theatre. The public will be informed that "many authors of modern erotic literature are left out in the cold," while authors like Charles Dickens, Rudyard Kipling, Louisa M. Alcott and Alexander Dumas "will gleam in electric lights on the nation's white ways."

Trailers will be made up to carry out the book picture idea, in harmony with the balance of the advertising. In addition, special one-sheet posters, lobby displays, exploitation tie-ups, publicity stories and cuts outlined in the manual are in keeping with the general idea.

The campaign is credited to the desire of E. C. Rhoden, Fox Midwest division manager, to call attention to new types of pictures being offered this year, without actually admitting that the screen had "cleaned up," according to the manual.

"It is no trick at all to publicize a Will Rogers picture, or a Mae West picture, because values have already been developed for product of this type," the division's managers are informed. "But for many pictures this year values must be built and this must be done largely through the medium of publicity.

"Furthermore, the campaign must hammer home the idea that the movies are turning to new sources for plot material. Only through this type of contact will you be able to reach thousands of people who have drifted away from our theatres. Always remember in your consideration of publicity, it is read by thousands who never look at the ads."

Reade to Eliminate Passes at Mayfair

Walter Reade yesterday advised Campi he would abide by a recent order of the New York grievance board to cease and desist from distributing cut rate service passes for the Mayfair. As a result, the Roxy's complaint against the theatre, slated for hearing today, has been withdrawn. Reade today will sign an affadavit agreeing to live up to the board's decision.

The Roxy's complaint against the Globe on the same issue has been held up until official word is received from Division Administrator Sol A. Rosenblatt on allegations made by Harry Brandt that he had an understanding allowing him to distribute the passes as long as the Globe's policy did not conflict with the Roxy.

Rosenblatt denied Brandt's assertions to MOTION PICTURE DAILY last week, but as yet the local code board has received no word to that effect.

On the calendar today for the New York board are three premature advertising complaints filed by Loew's against the Paras-Court and Palace in Brooklyn and the Pastime on 2nd Ave.

Attacks Two Men On Atlanta Board

ATLANTA, Aug. 29.—The GFTA Independent Theatres' Ass'n has formally attacked the makeup of code boards in this area in the presence on them of Oscar Lam, Rome, and Nat G. Williams, Thomasville, named as unaffiliated members, but whom the association charges are affiliated with the Lucas & Jenkins organization, which, in turn, is affiliated with Publix.

Officers of GFTA have notified John C. Flinn, they are prepared to substantiate charges of affiliation against these two members and have asked the privilege of appearing before a meeting of Campi to present evidence.

One of the charges against the two members is that they have an agreement in writing with Lucas & Jenkins not to invade with a theatre operation any situation in which the chain now operates.

More Join Academy

HOLLYWOOD, Aug. 29.—Richard Boleslavsky and Kurt Neumann are the latest directors to join that branch of the Academy.

May Allow Exhibitors at Large to Determine Zoning

(Continued from page 1)

the committee yesterday. If schedules do not meet with the favor of the majority, code boards will hear individual protests and a new draft will be made.

With the plan to throw back to the field contested schedules, Campi is expected to recommend reopening the deadline date of July 1 so that every exhibitor with an objection will be heard.

Clauses pertaining to duals in schedules will be ordered out, since Campi has washed its hands of the twin bill question.

Heretofore, code boards have been hearing protests against existing clearance and zoning schedules. When the July 1 deadline was reached all protests filed before that date were heard and new schedules drawn. The proposed plan of the committee will give exhibitors a chance to attack new clearances until a majority is reached on what is fair protection for the new season.

Some Favor 1934-35 Schedules

According to letters and telegrams received by Campi, a number of exhibitors in Detroit, Buffalo and Los Angeles favor 1934-35 schedules. In this event, Campi may accept them for the time being and set dates for appeal hearings for groups which object. These objections would not throw the entire plan out, but result in a revamp of clauses here and there.

Ben Berinstein yesterday appeared at Campi, but did not get an opportunity to discuss the Los Angeles schedule. It is understood that this plan contains a dual penalty clause and that this must come out. Campi will not touch on duals in any schedule, having cleaned its hands of twins at the time of the Milwaukee order.

Zone Delay Stymies Cincinnati 'Changes

CINCINNATI, Aug. 29.—Delay in adjustment of the clearance and zoning schedules in the Cincinnati, Columbus and Dayton territories, which now are on appeal to Campi, has distributors stymied here. Exhibitors generally have postponed buying new season product until the schedule has been definitely determined.

Jewish Women Join Cleanup Movement

KANSAS CITY, Aug. 29.—The National Council of Jewish Women has aligned its 40,000 members in 200 chapters in the current movement sponsored by religious bodies, according to Mrs. Hal Negbaur who represents the local section, Council of Jewish Women, on the Missouri Federation of Women's Clubs Better Films Committee.

Takes Air on Code

HOLLYWOOD, Aug. 29.—Joseph I. Breen, Production Code Administrator, delivered his first broadcast tonight on the code. Irene Dunne and Lionel Barrymore in a film "preview" made up part of the program, the first of a series of four.

Setback Seen In Revamping Of Paramount

(Continued from page 1)

action which made the banks creditors of Film Productions Corp., a solvent subsidiary, thereby gave the banks a preferential creditors' standing in the event of bankruptcy. The trustees contend that in that transaction Film Production Corp. was an instrumentality of Paramount's and, therefore, the deal should be set aside and the banks made creditors of Paramount Publix, rather than of the solvent subsidiary.

Although the suit was filed 15 months ago no action was taken in the case until last week when officers of three of the defendant banks were subpoenaed by counsel for the trustees to appear for examination before trial. Counsel for the banks immediately moved to oppose the examination, filing motions which questioned the validity of the subpoenas and the right of the trustees to examine the bank officers. The banks' motion was scheduled for hearing yesterday by Federal Judge Murray W. Hulbert, visiting jurist, who referred the motion to Judge Alfred C. Coxe, who is now vacationing and not expected to return to court before next week.

See Delay in Suit

Root, Clark, Buckner & Ballantine, counsel for the Paramount trustees, said yesterday that the suit could not be tried until October. They stated that if the case was not reached on the October court calendar a motion would be made to give the case preference, bringing it to trial at the earliest possible moment.

Leading factors in Paramount Publix reorganization work, most of whom confidently expected a reorganized Paramount by Oct. 1, are understood to view the unexpected delay with some exasperation. Several of them, it is said, foresaw the possible complications and delays in the trial of the bank suit and advised against its prosecution, believing that a settlement of the issues, satisfactory to Paramount creditors, could be had without court procedure.

No estimate of how long reorganization might be delayed as a result of yesterday's developments could be obtained, although those close to the situation proceedings assert that Nov. I would be the earliest possible date in view of the present situation.

Arthur James Nominated

WESTPORT, Conn., Aug. 29.—Arthur James has been nominated for first selectman on the Democratic ticket on the recommendation of the town committee. Milton D. Harrington, now third selectman, was also nominated as James' running mate for second selectman.

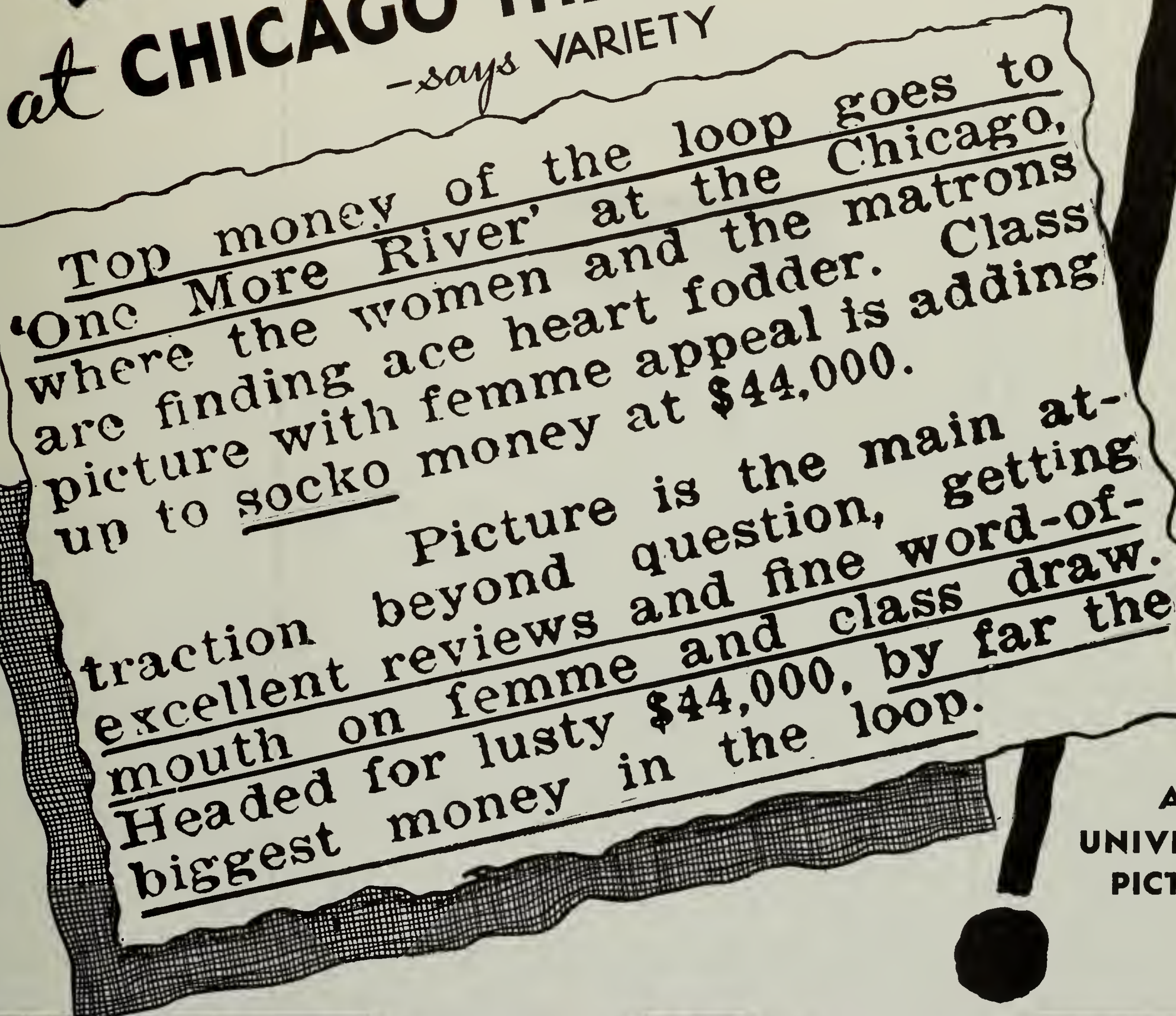
Overbuying Sustained

NEW ORLEANS, Aug. 29.—The grievance board's decision here that the Palace, New Iberia, had not overbought and was not depriving its rival, the Evangeline, of product, was reversed by Campi, which has ordered 34 pictures released for the Evangeline.

"SOCKO!"

at CHICAGO THEATRE, *Chicago*,"

-says VARIETY



Top money of the loop goes to 'One More River' at the Chicago, where the women and the matrons are finding ace heart fodder. Class picture with femme appeal is adding up to socko money at $44,000.

Picture is the main attraction beyond question, getting excellent reviews and fine word-of-mouth on femme and class draw. Headed for lusty $44,000, by far the biggest money in the loop.

A
UNIVERSAL
PICTURE

DIANA WYNYARD *in*

ONE MORE RIVER

$33,000,000 In U.S. Funds For Theatres

(*Continued from page* 1)

indebtedness for building purposes, nor can they be used for the purchase of certain types of movable equipment, generally known as operating equipment, such as projectors, carpets, seats, draperies, screens and the like.'

"The government," *Motion Picture Herald* will point out, "anticipates that some $1,500,000,000 will be spent within the next 18 months in repairing and remodeling homes and business properties throughout the nation. The motion picture industry could obtain for the modernization of its theatres as much as $33,600,000, if the owner of each of the 16,800 houses that are either opened or are in idleness were granted the $2,000 to be allotted for improvements to each property.

"The bulk of the applications in exhibition will, naturally, be made by the owners of the independent class, especially those whose theatre structures embrace that majority group of 15,700 houses seating less than 1,500—opened or closed."

Expects Hundreds to Apply

The *Herald* quotes Federal housing officials as anticipating that "hundreds of theatre owners will take advantage of the opportunity to obtain medium-sized loans created by the act at low rates for the purpose of making much-needed improvements and for alleviating unemployment ranks which is the basic purpose of the act."

The loans will be obtainable at authorized local lending agencies. Although restricted to individually owned and operated properties, the advantages of the plan will be offered to lease holders "under certain conditions."

It is further pointed out that a loan is advanced "on the owner's notes, without an indorsement" and involves "no mortgages or liens against the property."

"Therefore," it is added, "the property retains its former integrity as a basis for further credit. The property would in most cases be actually enhanced in value by improvements made through a Housing Act loan.

"Thus a loan for rebuilding does not necessarily act to impair the credit of a theatre operator in the equipment market, but is actually conceived as being capable of supporting that credit, on the basis of the exhibitor having been verified as a good risk to the equipment manufacturers by reason of the loan made to him under the Housing Act.

"Theatre owners will be able to borrow amounts up to $2,000 on promissory notes at varying rates of interest. The Administration feels that considerable improvements can be made with $2,000, especially to small buildings and to buildings in small towns. Larger advances under the insurance plan may be specifically authorized by the Federal Housing Administration, but it is unlikely that there will be many variations from the generally authorized limit. However, the bank and the borrower may make independent arrangements for an additional sum.

"Application for these loans must be made only to local lending institutions which have accepted the government insurance plan. The number is increasing daily and by the end of the week more than 3,000 banks and building and loan associations, with billions of resources, will have subscribed to the program.

"Regulations permit individual lenders to fix their own rates of interest subject to a five per cent maximum limitation. Notes may not run more than three years without the specific approval of the Federal Housing Administration. Under no conditions are the loans to require any endorsement, merely requiring the signature of the property owner, and, if the owner is married, also the signature of his wife. As previously stated, the loans shall not involve any mortgages or liens against the property.

"After having decided what improvements his theatre requires, the exhibitor may call in a contractor, or—if it's an important job—an architect, or he may get in touch with a local better housing committee, if there is one in the community. Any of these may estimate the cost. The exhibitor may engage his own labor, purchase his own materials from whoever offers the best prices. He may even do his own work. There is no limitation on how he may do the job.

"Any property owner, whether individual, partnership or corporation, with a regular income from salary, commissions, business or other assured sources may apply. It is not necessary to be a depositor in the financial institution consulted. Specifically, the financial institutions subscribing to the plan may include any national bank, state bank, trust company, savings bank, or industrial bank, building and loan association or finance company approved by the Federal Housing Administration; or to a contractor or building or supply dealer."

The only security required on a note is "a good credit record in the community."

Two important results of great financial benefit to the industry that would follow in the wake of the wholesale extension of credit to theatre owners are listed—increased equipment sales and better box-office trade caused by "the psychological effects of the rejuvenated theatre on the minds of the theatre-goers."

The publication lists the following as some of the improvements permitted by the Housing Act in the field of exhibition:

Building, remodeling, redecorating, painting, plastering, masonry, concreting, brick work, tiling, carpentry, sheet metal, elevators, doors, inside and out; fire escapes, stairs, railings, electrical work, windows, boilers, heating improvements, ventilating improvements, heating equipment, ventilating equipment, piping, awnings, theatre fronts, roofs, inside walls, outside walls, permanent repairs, architectural services, new plumbing, plumbing fixtures, new lighting, lighting fixtures, additional room, partitions, floors, reinforcing, fire-resistance, waterproofing, foundations, cellars, insulation, permanent hardware, gutters, chimneys, ceilings and permanent cabinets.

Chicago Bullish; $500,000 Already to Remodel Houses

(*Continued from page* 1)

despite the chronic cry of tough times and bad business, theatres for sale or leases are scarcer than the proverbial hen's teeth.

A striking evidence of this is the move of Robert Templar and associates in taking over what was once the Capitol at Kedzie and Lawrence and which for several years has been a billiard parlor and again converting the building into a picture house. Templar and associates are putting $25,000 into converting what was once a "dud." And wiseacres around town view it as a smart move.

Locally theatres are at a premium. There is one dark spot in the Loop, the Majestic, which Jones, Linick & Schaefer have just turned back to the owners because they claimed the house was improperly built for films. A number of rows are just so much waste space as far as a view of the screen is concerned.

Big Plans for McVickers

The McVickers is also dark, it is true, but it is a foregone conclusion that this house will revert back to J. L. & S. before long and, under their operation, will be established as a potent factor in the Loop situation. The house has been an "in and outer" for some time. It is controlled almost entirely by Publix. In the last move of more than a year ago Publix rather than surrender it, asked B. & K. to make a final effort to put it. The McVickers has met with indifferent success since. When closing became judicious, it was prepared for a reopening with the Mae West opus, but between the Legion of Decency campaign and the censors, nothing in the way of product has appeared sufficiently strong to justify turning on the lights.

Jones, Linick & Schaefer have just acquired an interest in the Monroe and Clark from Lubliner & Trinz, which adds these Loop spots to their Woods, State-Lake, Rialto and the La Salle which will open in October.

Outside the Loop, exhibitors are prepared to stay in business and are backing their judgment with plenty of dollars in rebuilding and new equipment. Here is what they are doing:

Gollos Bros. who also operate the Ray, are investing $50,000 into a complete remodeling job of the Midway on the South Side.

The Capitol conversion job mentioned earlier is setting Robert Templar and associates back $25,000 for the desired results.

In converting the LaSalle, former 10 cent grind house into dignified Loop theatre property J. L. & S. will spend $30,000. The rejuvenating job is being pushed to have the house ready Oct. 1.

Charles Stern, who operates the unusual Cinema, among others, has decided that his Austin needs refurnishing to the tune of $5,000.

Aaron Saperstein, local Allied president, has made arrangements which will see $15,000 put into lifting the face and interior of his Lexington.

Dave Dubin, well known here and in the East as an exchange man, enters the ranks of exhibitors with the Logan Square, giving it the new name of Rio which, with other plans, will cost him $20,000 for alterations and improvements.

Essaness Also to Remodel

Schoenstadt Bros. are ready to do big things to the Shakespeare, but the amount of the outlay is, at the moment, undetermined. Similarly, Essaness have plans for several of their houses, but are unprepared to say how far they are going to shell out.

The aggressive and progressive circuit headed by Harry Balaban has engaged an architect and received plans for the remodeling of the Windsor, just off the Gold Coast, at a cost of $35,000.

Lesser remodeling and installation of new equipment is proceeding or scheduled without much fan fare. The jobs, definitely planned, however, are important enough to register in the daily chatter of film salesmen and speculatively in the minds of local exchange managers.

Several reasons are advanced for the peculiarly aggressive disposition that permeates the local exhibition fraternity. Some say exhibitors are being blinded by a "break" created by the presence of the fair. Others simply view the neighborhood expansion and entrenchment as a result of a releasing system and an admission price scale that is giving outlying theatres an "edge."

8,000 Houses In a Fund to Fight ASCAP

(*Continued from page* 1)

Loews, Warners, Paramount, RKO and Skouras. The Skouras contribution will cover Fox West Coast and its subsidiaries and affiliates, while the Paramount commitment includes all of its theatre operating partnerships.

In addition, I. T. O. A., M. P. T. O. A., Allied States and T. O. C. C. pledged support, as well as numerous local exhibitor organizations and large circuits such as the Shea, Comerford, Butterfield and Wilmer & Vincent groups. In all, it is believed that a sum of $60,000 may be raised to carry on the court fight against ASCAP.

The pledges were delivered at a luncheon meeting at the Hotel Roosevelt yesterday, presided over by Walter Vincent, chairman of the national exhibitors' emergency committee, and Leopold Friedman of Loew's, chairman of the legal committee.

George Z. Medalie, former U. S. District Attorney here, has been retained by the exhibitors to push an anti-trust suit against ASCAP. Louis Phillips of the Paramount legal department, and Louis Nizer, secretary of the New York Film Board of Trade, are cooperating by supplying Medalie with music tax data and trade information.

Vincent and Milton C. Weisman, counsel for the I.T.O.A., were named custodians of the fund.

Buy M-G-M, Warner

Feiber & Shea, operating about 40 houses in the east and midwest, have signed for all of M-G-M and Warner product.

Theatre Building Is Begun in the South

(*Continued from page* 1)

operating as Carleton Amusement Co., Ltd., has started construction of a 600-seat theatre in the West End. It will be ready the end of November.

Los Angeles, Aug. 29.—Following a lengthy shutdown, the United Artists is slated for reopening Sept. 1. The house will probably open its doors with the first popular run of "House of Rothschild."

Baltimore, Aug. 29. — Herman Blum is rapidly getting his Little Theatre, first run playhouse catering to the intelligentsia, ready for reopening on Sept. 6. Herman G. Weinberg and his brother Mac, will again be manager and assistant respectively. During the summer the house has been renovated and a refrigerating cooling system installed.

Hon Nickel, proprietor of the Gayety, only burlesque theatre here, has reopened with "Spices of 1935."

The Maryland, "legit" house, will reopen Sept. 3 with a company presented by Laurence Rivers, Inc., offering "Tight Britches," prior to a New York opening.

The Waverly, neighborhood house in the Durkee chain, has been reopened after having been extensively renovated and remodeled.

Louisville, Aug. 29. — Blake Amusement Co., now operating the Savoy, has leased the Drury Lane. Stoner Hadden will be manager under its new film policy. Renovations will be made and sound equipment installed in time to open about Sept. 15.

Le Mars, Ia., Aug. 29.—The Royal and Elite here, formerly owned by Mrs. Grace Scott, have been sold to George L. March of Vermilion, South Dakota, and Philly L. March of Wayne, Neb. The new owners have two theatres at Wayne, two at Vermilion and one at Hawarden, Ia.

New Orleans, Aug. 29.—The Federal Court has authorized E. V. Richards, permanent trustee of the Saenger Theatres, Inc., to repair the cooling system of the Saenger theatre in Hattiesburg, Miss., and pay the necessary funds.

Wheeling, W. Va., Aug. 29. — George Otte, veteran Wheeling theatre executive who last season managed the Pitt, Pittsburgh, will remain in Wheeling as manager of his own house, the Virginia, which is undergoing extensive improvements preparatory to reopening next month.

Jack Jones, formerly of the Comerford circuit around Scranton and Wilkes-Barre, Pa., will replace Otte as manager of the Pittsburgh house.

Cincinnati, Aug. 29. — The Orpheum, 2,100-seat suburban leased by RKO three years ago but recently turned back to the owners, the Martin estate, will reopen around Sept. 15, after having been shuttered for several months. M. Chester Martin will manage the house, which is located across from the RKO Paramount in one of the busiest suburban sections.

The fifth floor of the building will be devoted to a swanky night club, while the Sky, with 1,000 seats, will be used for foreign films, according to tentative plans.

There's No End

Columbus, O., Aug. 29.—The latest addition to the ever-growing list of Kentucky colonels in the industry is M. R. ("Duke") Clark, local Paramount manager, and president of the Variety Club here, whose commission arrived a few days ago.

Rittman, O., Aug. 29.—Rittman is sporting a new theatre, an up-to-date edition evolved from the old Pastime. David Schuman, Cleveland, new operator says the house has been completely redecorated and seating increased to 75 additional seats. Capacity is now 400.

Ambridge, Pa., Aug. 29.—Warners are readying the Prince for early reopening, also the Camerphone in East Liberty. Other houses in this zone, dark all summer, will resume after Labor Day.

Claysburg, Pa., Aug. 29. — Dave Bloom, who operates the Rex, Portage, has taken over the Diehl here and will reopen it soon.

Curwensville, Pa., Aug. 29.—The Strand, recently badly damaged by fire is being remodeled and rebuilt by H. J. Thompson and will open as the Rex around Oct. 1.

Franklin, Pa., Aug. 29. — Hoka Theatres Co., T. L. Haughton and P. V. McKay, will reopen the Park shortly with straight films.

Marysville, O., Aug. 29. — The Russell, which operated on part time all summer, has returned to winter schedule with four changes weekly.

Freehold, N. J., Aug. 29.—Walter Reade is overhauling the Strand at a cost of $40,000, the job calling for redecorating throughout and installation of American Seating chairs. Clifford W. Stiles, Inc., has been given the general contract.

Paterson, N. J., Aug. 29.—On Sept. 14, Warners will place the Garden on a first run basis again. The house has been booking second runs.

Ashtabula, O., Aug. 29.—Jack Steinberg, owner of the Dome, at Youngstown, O., has taken over the Haror here. He will reopen at once with a straight film policy.

Adams Brothers reopen the Paramount, Newark, tonight with "Cleopatra" and vaudeville. The same operators tomorrow shift the U. S., Paterson, to a full week policy.

Fier Starts; Levine Back

Hollywood, Aug. 29.—Jack Fier, assistant to Nat Levine, has left for New York where he will spend a month visiting exchange centers. Levine returned yesterday.

Gluckman Gets Shorts

Herman Gluckman, president of Majestic, has closed for a series of Master Art shorts for his local exchange.

Midwest Deal Would Give Control to Fox

(*Continued from page* 1)

Motion Picture Daily the papers may be signed this week. He said several leasing proposals are under consideration, subject to approval by Fox interests in New York.

Fox Midwest now has the Granada in Kansas City, Kan., the city's other first run. The Electric is one of the oldest houses in this area and seats 1,500.

Paramount vacated the Electric shortly after filing in bankruptcy last year, turning back three other houses to Grubel Bros., the owners, at the same time. Two of these, the Paramount in Joplin and the Electric, Springfield, Mo., were subsequently taken over by Fox.

Grubel Bros. have a claim pending against Paramount for $600,000 rents past due. Their claim for approximately $3,000,000 representing future rents for the balance of the leases was disallowed.

Stage Shows Return In Pittsburgh Soon

(*Continued from page* 1)

Powell's first stage appearance in Pittsburgh since he left the Stanley, where he had been master of ceremonies for several months in 1932, to go to Hollywood. His salary will be exactly six times what it was when he left.

Arrangements with the various unions call for a minimum of weeks since neither the Penn nor the Stanley expect to play stage shows regularly. Name attractions will be spotted into the houses intermittently. With Lewis, the Penn will have "Hideout" while Powell will have "Desirable" on the screen. His personal appearance begins the day after his latest picture, "Dames," closes there.

Loew Plans Houses In Calcutta, Bombay

(*Continued from page* 1)

last, 1,500. Plans for the Calcutta house are now being completed and call for 1,200 seats. No definite drafts have yet been completed on the Bombay venture.

Moskowitz is chiefly responsible for construction of the London Empire and Metro in Johannesburg, South Africa. He states conditions in these countries are fair.

Offers A. F. of L. Backing

Aid of the A. F. of L. was extended yesterday by Matthew Woll, its vice-president, to operators, stagehands, musicians and electrical workers in their local fight against company unions here. He asked that the public patronize only those houses employing A. F. of L. members.

Forbes-Angel Nuptials

Hollywood, Aug. 29. — Ralph Forbes and Heather Angel left here this morning for Yuma, where they said they would be married and return here immediately.

Mrs. Johnson Recovering

Mrs. Martin Johnson, big game hunter, was recovering yesterday at Roosevelt Hospital from an operation for an abdominal disorder performed the day before.

Reinhardt West to Prepare Spectacle

Max Reinhardt, noted European stage producer, left for the coast last night and returns to New York in two months to stage "Road of the Promise," a musical spectacle by Franz Werfel, Austrian novelist and dramatist.

Meyer W. Weisgal, producer of "Romance of a People," also will produce the new spectacle which will be staged outdoors. Kurt Weill wrote the music.

Prior to his departure, Reinhardt's secretary denied the producer had been signed by a picture company. It was stated, however, negotiations for a film contract may be consummated on the coast.

Kandel-Twickenham Deal Runs 5 Years

Deal for American distribution of Twickenham Pictures in this country covers a five year period, according to M. J. Kandel of Ideal who returned from London late Tuesday where the contract was signed with Julius Hagen.

Olympic Pictures, Inc., affiliated with Ideal, will handle the 16 productions involved and plans to place them with national distributors or with state righters.

"The Wandering Jew" has been sold already to M-G-M. Next two are "Bella Donna," starring Conrad Veidt, and "Broken Melody," featuring Merle Oberon. Release on these is not set.

St. Louis Tax Impends

St. Louis, Aug. 29.—The Bi-Partisan Tax Raising Committee of the board of aldermen has asked City Counselor Charles Hay to draw up bills providing for either a city sales tax or a special tax on the gross income of individuals and corporations. The city is faced with the necessity of raising $4,500,000 to provide for deficit in the bond issue sinking fund.

New Orleans, Aug. 29.—The fight on the city amusement tax levying a charge of one cent up to 50 cents will be led by the Hotel Roosevelt Blue Room. Although the tax under state law is collectible Sept. 7 for use of the NRA, Mayor T. Semmes Walmsley insists it must be paid to his own welfare organization on Sept. 3. Theatres have indicated they will ignore Walmsley's collectors, claiming illegality.

Brunswick Signs Singer

Hollywood, Aug. 29.—Russ Columbo has been signed by Brunswick to make a minimum of 12 records a year, his first recordings to be three songs from his current Universal film, "Wake Up and Dream."

Columbo's weekly N-B-C broadcast has been switched from Sunday to Friday.

Karl Krug Ill

Pittsburgh, Aug. 29.—Karl Krug, critic and theatrical columnist on the *Sun-Telegraph*, is ill in a local hospital where he is being treated for eye and teeth infections. Krug joined the *Sun-Telegraph* three months ago after a year in New York with United Artists.

A Question of Bangs

Chicago, Aug. 29.—Difficulties of the job of toastmaster being rather generally recognized, it remained for Robert Sweitzer, clerk of Cook County, to distinguish himself at the testimonial dinner to George E. Browne this week.

After many introductions marked by the taking of bows, Sweitzer introduced Tom Maloy, head of the local operators' union. Maloy went through the bows in an avalanche of applause that shook even the large Stevens. He sat down. It was all over in grand fashion until the toastmaster felt impelled to add just another remark eulogizing Maloy.

He said: "And not only that, but everything Maloy undertakes goes over with a bang."

There was silence throughout the room. Then snickers grew into guffaws as the significance of the double meaning registered. The toastmaster desperately tried to pull himself out of a puzzling reaction.

While the crowd was working up to a point of roars at what it interpreted as a facetious analogy Toastmaster Sweitzer recovered and stormed:

"When I say bang I don't mean the kind of bang you people have in mind."

Maloy laughed heartily with the audience.

Hope for Singles In St. Louis Out

St. Louis, Aug. 29.—Local showmen have relinquished hope of eliminating duals next season. Fred Wehrenberg, president of the M. P. T. O., Eastern Missouri, and foremost proponent of single bills, admits it seems impossible to get all interests to agree.

Warners with the Shubert-Rialto and the Orpheum as their first run outlets have refused to come into line. With their own, as well as Paramount and RKO product available, they are in a position to continue the double feature arrangement indefinitely. Fanchon & Marco with the Ambassador, Fox, Grand Central, Missouri and St. Louis were willing to play only one picture.

Nelson Cunliff, speaking for the St. Louis Amusement Co., had tentatively agreed to the elimination of double bills but set Aug. 20 as the deadline by which all others were to have their John Hancocks on the dotted line. Warners, not having agreed by that time and another week having passed without results, Cunliff took the position that he would have to go through with contracts for the 1934-35 product.

Warners may be in a position to force F. & M. to go through with plans for stage shows at both the Ambassador and Fox. Other exhibitors are hoping that the first-run scrap will not lead to any clash in prices. There have been some veiled threats along that line. Such a move might force neighborhood houses to resort to 10-cent admissions for adults and five cents for children.

Clayworth Contract Makes 43rd at "U"

Hollywood, Aug. 29.—The signing of June Clayworth, Broadway ingenue, brings Universal's contract list to 43.

Musical transcriptions based on scenes from "Wake Up and Dream," and "Gift of Gab," will be broadcast over the Columbia network for a 15 minute period, in conjunction with local runs of the picture.

Universal has negotiated with M-G-M for the loan of Herbert Marshall to appear opposite Margaret Sullavan in "The Good Fairy."

Contracts, Assignments

Hollywood, Aug. 29.—Paramount has signed William Hurlbut to do the screen play on "The Case Against Mrs. Ames." The picture will have Gary Cooper and Carole Lombard in top roles. At the same time the studio ticketed Lawrence Eyre to do the script for "All the King's Horses."

Robert Pirosh, writer, has been given a new long-term contract at M-G-M. Pirosh is now working on the script for "The Winning Ticket."

Maxine Doyle, in whom Warners rest high hopes, gets her first opportunity in the romantic lead of "Babbitt." This is the studio's first move toward elevating her into the starring ranks. Nan Grey, recently brought here from New York, has also been handed one of the top spots.

Henry Wilcoxon has been lined up for a featured role in "Andrew's Harvest" at Paramount. The actor is now working in "Lives of a Bengal Lancer."

Cesar Romero, New York stage actor, has signed a long-term contract with Universal. His first role will be in "Cheating Cheaters," a Stanley Bergerman production.

Alan James, author and director of 326 action pictures in 24 years, will direct the second Buck Jones western in a series of six for Universal.

Monogram has signed Sheila Terry to a two-picture contract. Her first will be opposite John Wayne in "Neath Arizona Skies."

M-G-M has given long-term contracts to Rosiland Russell, former New York stage actress, and to Mickey Rooney, child actor. Her first role will be in "Evelyn Prentice," and Rooney will appear in a picture with Jackie Cooper.

Question of Release

Hollywood, Aug. 29.—Inability to make its release date and avoid "threatening its excellence" is the reason ascribed to the plan of Pioneer Pictures to first make "Becky Sharp" and not "The Three Musketeers."

Kenneth MacGowan, associate producer at Radio, has been loaned to Pioneer for the production. Langdon Mitchell is doing the script and Robert Edmond Jones, who handled color on "La Cucaracha," will do a similar job here.

Serial Crashes Circuit

Seattle, Aug. 29.—For the first time in the history of the Evergreen (Fox West Coast) circuit, a serial has been booked for showing in the circuit's key houses. It is "Young Eagles" which will play at the Paramount, Seattle; Paramount, Portland, and also in Evergreen houses in Bellingham, Everett, Wenatchee, Olympia, Eugene, Bremerton and Vancouver. The Seattle showing will be at matinees only. A similar plan is contemplated for Portland.

Hollywood Personals

Hollywood, Aug. 29.—John Stone back from Del Mar . . . the Fredric Marches off to Tahiti today aboard the *Maunganui* to be gone a month . . . Vic Zobel expelled from the Cedars of Lebanon Hospital where he recently lost his appendix . . . Lew Collins signed by Monogram to direct "Sing Sing Nights" . . . Gail Patrick back from Arrowhead . . . Ida Lupino now a composer with two songs titled, "Is There No Way," and "Will You?" . . . J. P. McEvoy keeping three secretaries busy at Paramount . . . Sonny Ingram, who has been showing people to their tables in the Fox commissary for three years, an actress today with a role in "White Parade." . . . Bing Crosby struggling to unravel a rattlesnake from his camping equipment the other day . . . A. M. Botsford hiring builders of Boulder Dam to construct him a fogless garage, inasmuch as the Pacific dew seeped through at Malibu and spoiled a new paint job on the car . . . John Engstadt is in San Francisco. A sinus operation . . . On his first day as a director at Radio, Glenn Tryon received a huge horseshoe of roses as a good luck token from Odgen Nash . . . Jean Harlow sprained her ankle in her swimming pool Sunday . . . Elissa Landi's coach dog has hay fever. So what! . . . Baby LeRoy into a new apartment . . . Gilbert Wilson, Elsie Janis' husband, playing a role in "College Rhythm" at Paramount . . . George Raft and Joe Penner renewing their friendship on the "Limehouse Nights" set . . . Dean Jagger buys an 80 acre farm in Wisconsin . . . Richard Klein, in charge of Paramount's gym, gets a role in "Enter Madame" . . . Adrienne Ames back from New York . . . the Dan Thomases to fly to New York in the fall . . . Jimmy Dunn has trimmed his waistline of another five pounds . . . Grace Moore sad over the loss of her pet duck, "Mary," a present from Ruth Chatterton last Easter . . . Victor McLaglen taking up sound . . . Richard Cromwell receives more fan mail than any one on the Columbia lot, says Columbia . . .

Portland Smiling; "Island" Is Tops

Portland, Aug. 29.—In spite of a full week of heat-breaking records, first runs likewise have been breaking their year's box-office records. Holdovers were the rule.

"Treasure Island" at United Artists had a first week of $7,500, or $2,500 over normal. Held for second.

"Bulldog Drummond Strikes Back" at the Broadway hung up the first holdover week of the year there.

"Handy Andy" and "Ladies Should Listen" brought out lines at the Paramount with a take of $7,500 or $2,500 over usual. Held for second.

Total first run business was $28,100. Average is $22,000.

Estimated takings for the week ending Aug. 23:

"BULLDOG DRUMMOND STRIKES BACK" (U.A.)

BROADWAY—(1,912), 25c-35c-40c, 7 days. **Gross:** $7,000. (Average, $5,000)

"BACHELOR BAIT" (Radio)

HAMRICK'S MUSIC BOX—(2,000), 25c-35c-40c, 7 days, Casanova Review. **Gross:** $3,000. (Average, $3,000)

"STINGAREE" (Radio)

HAMRICK'S ORIENTAL—(2,000), 25c, 7 days. **Gross:** $2,500. (Average, $2,000)

"DICK TURPIN" (Gaumont)

PANTAGES—(1,700), 15c-25c, 7 days. Stage show. **Gross:** $1,600. (Average, $2,000)

"HANDY ANDY" (Fox)
"LADIES SHOULD LISTEN" (Para.)

PARAMOUNT — (3,008), 25c-35c-40c, 7 days. **Gross:** $6,500. (Average, $5,000)

"TREASURE ISLAND" (M-G-M)

UNITED ARTISTS—(945), 25c-35c-40c, 7 days, 2nd week. **Gross:** $7,500. (Average, $5,000)

American Intern'l, New Coast Producer

Hollywood, Aug. 29.—The long dark Prudential Studios, formerly Tec-Art, will light up when a new company, known as American International Prod., starts work shortly. Roy Fitzgerald is president, Oliver Drake, vice-president in charge of production, and Willard Ditmars, production supervisor.

The company plans a series of features, a series of musicals and a third of westerns. The first to reach the cameras will be "Hell's Paradise," which Drake wrote and which he will direct. The second, a musical, will be "The Roustabout" by Rupert Hughes.

Small Signs to Make Four More for U. A.

Hollywood, Aug. 29. — Edward Small of Reliance has signed with United Artists for four more pictures in addition to the three already produced — "Palooka," "Transatlantic Merry-Go-Round" and "The Count of Monte Cristo."

To File New Complaint

Los Angeles, Aug. 29.—Superior Court here today ordered Karl Struss, cameraman, to file a new complaint within 15 days in his suit for an accounting against Local 659, I. A. T. S. E. The court held he failed to mention the cause of action or show that he was a member in good standing. It was also asserted the charge that funds had been expended contrary to the by-laws could not be determined from the way the facts were set down in the complaint and that Struss failed to show the right to inspect the books prior to the suit had been denied him.

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MOTION PICTURE DAILY

Alert, Intelligent and Faithful Service to the Industry in All Branches

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Campi Asks Industry Aid Push Zoning

Committee Is Named to Hasten New Setups

Campi yesterday drafted the industry as a whole to lend its support in expediting new clearance and zoning schedules.

George J. Schaefer was appointed chairman of a special committee which will call upon Code Authority members and leading sales and exhibitor heads in New York to analyze all schedules submitted for appeal. Schedules exceeding code limitations will be sent back to local boards for redrafting.

In territories where schedules are

(*Continued on page* 6)

Code Approval to 16 More Features

Hollywood, Aug. 30.—Production Code Administration issued code certificates on 16 features, eight shorts and two serials during the week from Aug. 20 to 28.

M-G-M tops the new list of approved features with three. Fox, Universal, Invincible and Monogram broke the tape even with two each. Paramount, Warners, United Artists,

(*Continued on page* 4)

Brandt Is Guilty in Cut Rate Pass Case

Harry Brandt yesterday was declared guilty by the New York grievance board for distributing cut rate service passes at the Globe. The complaint was instituted by the Roxy. Brandt states he will appeal.

At the hearing on Aug. 21, Brandt told the board he had an understanding with Division Administrator Sol A. Rosenblatt whereby he could continue to distribute service passes as

(*Continued on page* 6)

Paralysis Scares

Seattle, Aug. 30.—Houses here and in Spokane may be forced to close in the near future because of the epidemic of infantile paralysis in the northwest.

Idaho houses that had been shut down are now opened with the abatement of the malady.

U. S. Starts Anti-Trust Action Against ASCAP

Won't Sue in K.C. Crusade On 'Indecency'

Kansas City, Aug. 30.—No legal action is planned by S. Bernard Joffee, managing director of the Tower, as a result of the *Journal-Post's* attack on the stage show at the theatre. He said he has received numerous telephone calls and letters from patrons deeply resentful of the paper's attitude and that many informed him they canceled their subscriptions.

"I consider the tirade excellent publicity," he asserted. "The best answer is the crowds that stormed the Tower

(*Continued on page* 8)

Theatre No Church, Asserts Kuykendall

New Orleans, Aug. 30.—"It is not the function of theatres to moralize or to become churches, but to entertain with pictures and stories suitable for adult minds as well as children," Ed Kuykendall, M.P.T.O.A. head, declared here today at a meeting of the Gulf States Theatre Owners' Ass'n.

"Not that we intend to fight the churches," he added. "On the contrary, we are cooperating with the better films groups and heartily endorse the movement to clean up unnecessary vulgarity and obscenity."

Kuykendall asserted that "we started the movement ourselves before

(*Continued on page* 4)

Clean Film Moves Spread in England

London, Aug. 30.—Indications anew that the move for clean pictures is spreading from America to England is seen in the circulation of a petition under the auspices of the Westminster Catholic Federation. Over 150,000 signatures have been obtained to date and all the signers have promised to boycott theatres showing objectionable films.

In order that supporters of the movement may know which films are objectionable, the federation will issue a pamphlet every week listing those approved.

Distributors Threaten to Quit Mexico

By JAMES LOCKHART

Mexico City, Aug. 30.—Nine American and two European distributors doing business here today advised the Government that they will be compelled to withdraw from this market if films are not excluded from a 10 per cent tax on rentals.

These companies, distributors, acting through the National M. P. Distributors Ass'n. of which they are members, are now awaiting the government's decision on its plea. They have assumed the stand that the new

(*Continued on page* 6)

Hold Funeral Rites For J. D. Williams

Many well-known figures in the industry yesterday attended funeral services at Campbell's Funeral Parlor for J. D. Williams, organizer of the original First National and a one-time power in this industry. He died Monday morning.

Noticed in the throng, which numbered approximately 150, were old-time associates of Williams in First National, including Richard A. Rowland, William Morgan, C. L. ("Bill") Yearsley, Hawley Turner, Harry Cohen. Others seen in the assemblage were Earle W. Hammons, Harvey Day, A. L. Grey, Spyros

(*Continued on page* 6)

Reinhardt Spectacle For Roxy Discussed

Howard S. Cullman, trustee for the Roxy, has opened preliminary negotiations with Max Reinhardt for the producer to stage a spectacle show at the Roxy within the near future. The talks took place prior to Reinhardt's departure for the coast Wednesday.

Culmination of the deal depends on the type of show and expense required by Reinhardt to produce. The pact would be for one show which would run for a period of weeks. The producer originally staged "Romance

(*Continued on page* 6)

Other Music Groups Also Named; See Effect on Score Charge

A Federal anti-trust action was filed here yesterday against the American Society of Composers, Authors and Publishers, the Music Publishers Protective Ass'n, the Music Dealers' Service, Inc., and more than 100 other organizations affiliated with the three and engaged in the collection of royalties for the public performance of copyrighted music.

The action, started in U. S. District court by Andrew W. Bennett, special assistant U. S. Attorney General, apparently covers every aim of the national exhibitors' emergency committee's legal program and, in addition, has ramifications which may vitally affect music costs of film production and the score charge itself.

The government's action against the music societies alleges the existence of monopolies and violations of the Sherman anti-trust law. It asks re-

(*Continued on page* 4)

St. Louis Price War Off Till Sept. 7

St. Louis, Aug. 30.—Although F. & M. was scheduled to cut prices and institute duals today, the plan has been delayed until Sept. 7. Admissions at the Ambassador, Missouri and Fox will be reduced from 35 cents to 25 cents for matinees and from 55 cents to 40 cents for evenings.

Shortage of product is understood responsible for the delay. F. & M. has several product negotiations

(*Continued on page* 6)

N. J. Ban Still Held Up by Consolidated

Despite indications from Walter Reade, Leon Rosenblatt, Loew's and RKO to join in the move to eliminate duals in New Jersey, Trio-Consolidated continues, it is charged, to prove

(*Continued on page* 6)

No Paper Monday

Monday, Sept. 3, being Labor Day and a legal holiday, *Motion Picture Daily* will not publish.

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"U" Program Sold To Great States

Chicago, Aug. 30.—James R. Grainger today closed a deal with Publix-Great States which sends Universal product into 25 situations controlled by that circuit. Henry M. Herbel, Universal's local manager, assisted for the distributor, while Jules J. Ruben acted for the circuit. This is the latter's first buy for the new season.

Para. After Shaw & Lee

Hollywood, Aug. 30.—Shaw and Lee are negotiating with Paramount for additional pictures following completion of roles in "You Belong to Me" and "Mrs. Wiggs of the Cabbage Patch."

"Peck" Goes to Fox

Hollywood, Aug. 30.—Sol Lesser has placed "Peck's Bad Boy" with Fox. He is also making a series of George O'Brien westerns for that distribution.

Roach East Monday

Hollywood, Aug. 30.—Hal Roach plans to fly east in his own plane Monday to confer with M-G-M officials on distribution.

Moscow Here on Deals

Sam Moscow, Atlanta district manager for Columbia, is in town conferring with Rube Jacter and Abe Montague on the Griffith circuit deal.

Insiders' Outlook

REORGANIZATION activities for Fox Metropolitan Playhouses are divided between two camps at the moment—each with what appears to be a different objective. On the one side is the bondholders' committee of which Ernest W. Niver is chairman and William M. Greve is a moving factor. On the other is Fox Theatres Corp., one-time parent company of Fox Met, now seeking a reorganization under Section 77-B. William E. Atkinson and Milton C. Weisman are receivers for the latter, and as such have title to all of the capital stock of Fox Met. . . .

▼

The Fox Met bondholders' committee has a plan for the circuit which, at this time at least, is patterned in many respects after the plan formulated by the committee while Fox Met was in receivership. The former plan, however, provided for a foreclosure sale which is avoided in the reorganization proceedings. Not yet settled, however, but authoritatively understood to be an important objective of the committee's plan is a provision which would permit the committee to realize on its Fox Met investment at any auspicious time after the plan has been in effect one year. . . .

▼

The difficulty of incorporating such a provision in the reorganization plan appears to center about the 18-year operating contracts with Fox Met held by Skouras and Randforce. A reorganization of the circuit under 77-B will return Fox Met to its original solvent status prior to its receivership and the Skouras and Randforce operating contracts will be binding on the new company, according to expert legal opinion. . . .

In opposition to the bondholders' objective—the right to a sale of the circuit after one year—is the natural unwillingness of the two operators to invalidate their 18-year contracts by consenting to the inclusion of such a provision in the reorganization plan, regardless of what compensating concession is made in their favor. In addition, there is the reasonable attitude of several bondholder elements within Fox Met which holds that such a provision might tend to dull the enthusiasm of the operators, with a consequent jeopardy to the theatre properties resulting. . . .

▼

On the side of the Fox Theatres' receivers—Atkinson and Weisman—efforts are being made to reopen the $4,536,742 claim of Fox Theatres against Fox Met, subsequently settled for $100,000, with the declared intention of reabsorbing Fox Met into Fox Theatres. In this connection a court order has been obtained by Fox Theatres from Federal Judge Martin Manton appointing David Burton, accountant, to investigate the facts surrounding the settlement of the Fox Theatres' claim. . . .

▼

Just how far this objective can be pursued is a matter of conjecture. Some Fox Met creditors—notably those associated with the bondholders' committee — are unimpressed. Others contend that the move has its possibilities under the new bankruptcy laws and even go so far as to name Harry Brandt as the ultimate operator of Fox Met, this on the theory that Weisman's recommendation of the latter in the event Fox Met again came under Fox Theatres' control, would be sufficient in such a contingency. Weisman, it will be recalled, is attorney for I.T.O.A., of which Brandt is the organizer and president. . . .

▼

On the sideline, but strategically important, are the minority Fox Met bondholders who have not deposited with the committee. These are represented by Archibald Palmer, attorney. Their influence in any reorganization plan, thrown to either side, could prove to be the telling factor. Or, if denied to both sides and thrown, instead, to Skouras and Randforce might result in provisions in a reorganization plan which would settle for good the much-disturbed status of those operators. Aside from all this, the situation is really simple. . . . KANN

Most Issues Down on Big Board

	High	Low	Close	Net Change	Sales
Columbia Pictures, vtc	31¼	29¼	29¼	—2½	300
Consolidated Film Industries, pfd	13½	13½	13½	— ¼	100
Eastman Kodak	99	98⅞	98⅞	—1⅛	300
Eastman Kodak, pfd	140	140	140	+1	20
Fox Film "A"	12	11½	11⅞	— ⅛	700
Loew's, Inc.	27⅜	26⅜	27¼	— ½	6,200
Loew's, Inc., pfd	92	92	92	.....	100
Paramount Publix, cts	3⅞	3⅝	3¾	+ ¼	1,400
Pathe Exchange	1¼	1⅛	1⅛	.....	3,300
Pathe Exchange "A"	15	14⅝	14¾	— ½	500
RKO	2⅜	2¼	2¼	— ¼	700
Warner Bros.	4½	4⅜	4½	.....	3,500

Trans Lux Off ⅜ on Curb

	High	Low	Close	Net Change	Sales
Technicolor	13⅜	13	13⅛	— ⅛	500
Trans Lux	1⅝	1½	1⅝	— ⅜	200

Warner Bonds Collapse 1⅛

	High	Low	Close	Net Change	Sales
General Theatre Equipment 6s '40	6	6	6	— ¼	15
General Theatre Equipment 6s '40, ctf	6	6	6	.....	4
Loew's 6s '41, ww deb rights	102	101¾	102	+ ¼	11
Paramount F. L. 6s '47	47	46½	46½	— ½	7
Paramount Publix 5½s '50	47½	47	47	.....	8
Warner Bros. 6s '39, wd	53½	53	53	—1⅛	13

Purely Personal

RUDOLPH SANDERS temporarily succeeds Louis Blumenthal as chairman of the I.T.O.A. board of directors. Sanders at one time was president of the Brooklyn Theatre Owners Ass'n.

Kay Francis has been granted an extension of her vacation and will not report to Hollywood before the middle of October.

Mort Blumenstock, back from Philadelphia, says business is picking up.

Tom Gerety will spend the Labor Day week-end playing golf.

Al Friedlander will take to the road again any day now.

Nick Foran is on his way east for a short visit.

Powell Set on 15

Hollywood, Aug. 30.—William Powell has signed three new contracts calling for 15 pictures to be made within the next two years. First of the new deals is with M-G-M on a straight two-year contract; the second with Radio for two pictures, and the third with Paramount for one picture.

J. R. McDonough Here

J. R. McDonough, Radio executive who has been spending most of his time recently on the coast, arrived in New York from Hollywood by plane yesterday. The visit is described as routine. In about three weeks he will return west and take his family with him.

Germany Bars "Cheer"

Berlin, Aug. 30.—The government censor today banned Fox's "Stand Up and Cheer" because it showed the "typical American movie standpoint of artificially plumped-up optimism," and "did not deal seriously with today's problems."

T. & D. Trio in Town

Robert McNeill, Michael Naify and Gene Emmick of the T. & D. circuit of California, are in town on product deals.

When these Lovers Quarrel . .

they awaken the romance in every heart!

Audiences will chortle merrily when this masquerading millionairess wrestles with pots and pans . . . They'll sigh contentedly when she nestles in the arms of her inventive chauffeur sweetheart. And applaud delightedly at the reunion of these two . . . *together for the first time since "State Fair."*

Janet
GAYNOR
Lew
AYRES
in

Servants' Entrance

with
NED SPARKS
WALTER CONNOLLY
LOUISE DRESSER
G. P. HUNTLEY, JR.
ASTRID ALLWYN
SIEGFRIED RUMANN

Produced by Winfield Sheehan
Directed by Frank Lloyd
From the novel by Sigrid Boo
Adaptation: Samson Raphaelson

FOX

THERE'S NOTHING WORTH LIVING FOR

—MAYBE IT'S NOT SO BAD

IT'S A GREAT WORLD AFTER ALL!

Code Approval to 16 More Features

(Continued from page 1)

Liberty and Mascot emerged with one feature each bearing the code seal.

M-G-M and Radio each had three shorts approved. Columbia and Educational registered one each. Universal had approval okay placed on two serials.

The list follows:

Columbia

(Shorts)

"In the Arctic."

Fox

(Features)

"Caravan" (French version) and "Charlie Chan in London."

"Super Stupid" (Educational).

Invincible

(Features)

"Fugitive Road" and "One in a Million."

Liberty

(Features)

"Two Heads on a Pillow."

Mascot

(Features)

"Young and Beautiful."

M-G-M

(Features)

"Chained," "Death on the Diamond" and "Have A Heart."

(Shorts)

"Goory Movies" No. 8, "Holland in Tulip Time" and "Rugby."

Monogram

(Features)

"King Kelly," "Girl of the Limberlost."

Paramount

(Features)

"Pursuit of Happiness."

RKO

(Shorts)

"This Band Age," "In a Pig's Eye" and "Bricabrac."

United Artists

(Features)

"Count of Monte Cristo" (Reliance).

Universal

(Features)

"Wake Up and Dream" and "Rocky Rhodes."

(Serials)

"Red Rider in Enemies' Hideout" and "Red Rider Brought to Justice."

Warners

(Features)

"Happiness Ahead."

Velez Case to Academy

Los Angeles, Aug. 30.—The suit of Lupe Velez against Rowland Prod. alleging non-payment of a $5,000 check was ordered to be arbitrated by the Academy by Judge Leon Yankwich today. The defendant was granted until Tuesday to file a writ of prohibition.

Para. Releases Arlen

Hollywood, Aug. 30.—Richard Arlen and Paramount severed their relations yesterday when Arlen asked for, and was granted, a release from his contract which still had a year to run.

Breen in Air Talk Today

Hollywood, Aug. 30.—Joseph I. Breen and Alice Ames Winter will discuss the industry over NBC tomorrow morning.

U. S. Starts Anti-Trust Action Against ASCAP

(Continued from page 1)

straining orders to prevent the organizations named as defendants from entering into new contracts or renewing old ones for the public performance of music on a royalty basis unless the contracts are determined by genuine competition between copyright owners.

The government alleges that the royalties now stipulated in the contracts of the societies are the result of a monopolistic situation and further alleges that combinations exist between the organizations named which constitute a conspiracy in restraint of interstate trade. Dissolution of the organization is asked.

Same Charges in Radio Suit

These are the principal allegations contained also in the anti-trust suit of radio broadcasters against ASCAP, which is scheduled for trial here in October, and were to be the basis of the action which the exhibitors' legal committee planned to bring against ASCAP in the near future. George Z. Medalie, former U. S. District Attorney here, was retained early this week to bring such an action against ASCAP and on Wednesday virtually all exhibitor organizations, affiliated and independent circuits, pledged to contribute on the basis of a penny a seat to finance this legal battle against the Society.

Whether the government's action, accomplishing as it does, the aims of the exhibitors, will result in a cessation of the exhibitors' legal offensive could not be learned last night. It is believed, however, that pending the outcome of the Federal suit exhibitors may confine their activity to supplying the government with evidence and information, while continuing to press their propaganda campaign among senators and congressmen for the purpose of obtaining Federal revision of the copyright laws.

Effect on Score Charge

Inclusion of the Music Publishers Protective Ass'n in the government's suit is seen as an attack on that organization's system of levying against producers for the right to record copyrighted music. This levy is the source of the score charge and, while that charge itself is not directly involved in the government's action, it is believed that a royalty charge for recording music which would be based on freely competitive bargaining among copyright owners might result in a lowering of the recording charge and, hence, of the score charge.

It is also hazarded in film legal circles that the success of the government's action against the Music Publishers Protective Ass'n would make producers the free agents for music composed by their own studio staffs, a situation also regarded as conducise to ultimate elimination of the score charge.

Neither Gene Buck, president of ASCAP, nor E. C. Mills, general manager, could be reached last night for comment on the suit or information as to whether or not the government's suit would result in abandonment by ASCAP of its announced intention of putting into effect its schedule of increased music taxes on Oct. 1.

Dillingers Barred

Cincinnati, Aug. 30. — Despite newspaper announcements that members of the Dillinger family would appear at the Taft Sept. 1-3, no such exhibition will be permitted, according to William H. Tateman, chairman of the house committee of the Cincinnati Masonic Temple Co., which owns and operates the theatre.

Curb Danz Display On John Dillinger

Seattle, Aug. 30.—The newly-appointed Board of Theatre Censors made its first move here when Joe Danz's Embassy played "Bring 'Em Back Dead," a chronicle of John Dillinger and other criminals.

Acting upon protest of citizens, Board Chairman Kenneth Schoenfeld ordered Danz to remove from his lobby display a wax image of Dillinger's bullet-riddled body, in "natural colors." Street dodgers, advertising sequences reputedly not to be found in the film, were also ordered banned.

Frisco Board Makes Changes in Schedule

San Francisco, Aug. 30.—The clearance board today announced a new zoning decision. The original 56-day clearance has been retained for first runs charging 50 cents or more. A new 49-day clearance for 40-centers affects four first runs. San Francisco has been given all first run rights in northern California.

Court Reverses Decision

Wilmington, Del., Aug. 30.—An opinion in favor of the plaintiffs was handed down by Judge John P. Nields in U. S. District Court here today in the equity suit of American Tri-Ergon Corp., New York; Tri-Ergon Holding A. G. of Switzerland and Josef Engl, Joseph Masolle and Hans Vogt of Berlin against General Talking Pictures Corp., DeForest Phonofilms, Inc., and Lee DeForest.

The invention at issue relates to a "glow lamp" for photographic recording of sound. Priority had been originally awarded to DeForest. Nields' decision awards priority to the petitioners. The judge will issue a decree directing that letters be issued to American Tri-Ergon.

Amkino to Entertain

Amkino will hold a reception in its offices at six o'clock tonight for the Soviet and Turkish officials and, at the same time, show a six-reeler called "Soviet Greets New Turkey."

Trio Gets Manhattan

Trio-Consolidated has taken over the Manhattan, 109th St. and Manhattan Ave., effective tomorrow. The deal was closed between the circuit and the landlord.

Theatre No Church, Asserts Kuykendall

(Continued from page 1)

the present censorship by the organization of 20 committees throughout the country.

"Reports from these committees, obtained from public reaction, the press and the better films groups, are sent in in detail," he continued. "We sort them out and send the results to the producers so they may know what pictures the public likes most."

Elaborating on his views on clean pictures, Kuykendall placed much of the blame for film indecency on directors whom he charged with trying to outdo each other in "getting by with suggestiveness." He offered the opinion that the original strength of the film decency campaign was spent now but stated that the public demand for wholesome pictures remains. He said he had heard the Production Code Administration's label on an approved picture hissed in a Boston theatre.

Kuykendall warned against the danger from professional reformers offered by the present moral crusade and scored those exhibitors who seek to take advantage of the campaign by endeavoring to cancel harmless pictures because of a suspicion they may not be "box office."

Kuykendall urged the discontinuance of film previews for women's organizations, asserting that the practice eventually would ruin theatre business throughout the nation. He also urged that exhibitors should act as a unit in fighting the proposed music tax increases, suggesting that proper backing of the opposition to the American Society of Composers, Authors & Publishers could be given by exhibitors only as a united body.

His address touched upon double featuring, which he described as the "ruination of the business."

W. C. T. U. Steps Down

Seattle, Aug. 30.—Delegates at the annual W. C. T. U. convention here today voted to join in all efforts to "stop vile and unwholesome pictures and to continue to press with vigor a national censorship bill."

Marin's Wife Is Killed

Hollywood, Aug. 30.—M-G-M today reported the death of Mrs. Ned Marin, wife of Edward Mannix's assistant; Belle Stebbins, wife of Arthur Stebbins, assistant to Phil Berg, local agent, and two Stebbins children, Gary and Lila, in an automobile collision 18 miles north of Bakersfield this afternoon.

New Yiddish Company

Jack Stillman has been named head of the Sov-Am Film Corp., which will specialize in Yiddish pictures. Four features, with English subtitles are on the schedule for the balance of 1934, the first being, "The Youth of Russia."

Buffalo Reopening Set

Buffalo, Aug. 30.—Shea interests reopen the Great Lakes Saturday with "Cat's Paw." Charles Hayman had a deal practically set to take over the house, but negotiations fell through, with Shea retaining the unit.

AND STILL THEY COME!

•

PUBLIX GREAT STATES CIRCUIT

Jules J. Ruben, Gen'l Mgr.

Operating in 18 cities and towns in Illinois and Indiana—Aurora, Decatur, Bloomington, Blue Island, Chicago, Danville, Elgin, Harvey, Joliet, Kewanee, Kankakee, La Grange, La Salle, Streator, Waukegan, Rockford and Peoria, Ill., and South Bend, Indiana—

Signs for

(the first new season deal they've signed)

UNIVERSAL

Features, News, Shorts and Serials for 1934-35

•

Thanks, **Mr. Ruben, for your confidence in Universal Pictures. We will do our part!**

Campi Asks Industry Aid Push Zoning

(*Continued from page 1*)

returned exhibitors will get together again and try to work out a feasible program. Where certain provisions of the code are overstepped, Campi will make suggestions on new procedure. Miami, Milwaukee, Bridgeport, Hartford and New Haven schedules, appeal hearings on which already have been held, have been returned for revision.

Campi has found that in practically all instances local boards have exceeded their authority, inserting clauses which violate the code. Exhibitors from the five territories have come to New York to protest certain clauses which should have been eliminated in the schedules before the appeal hearing.

At the same time Campi is reconvening the clearance and zoning boards to again hear individual protests, hoping by this method to save exhibitors time and money by registering objections locally.

Can Appeal for Changes

Exhibitors in all territories will be given a chance to protest against provisions in schedules which might work a hardship on them. In zones where no schedules have been drawn, exhibitors can ask for changes in present protection ratios and local boards will decide on the merits of the claims. These decisions can be appealed as heretofore.

Of the 40 schedules filed with Campi, five only have been heard and disposed of. In all five, Campi has ordered changes following protest hearings on appeal.

A majority of exhibitors in Los Angeles, Detroit, Buffalo, Cincinnati and Cleveland are in favor of schedules drawn. In Los Angeles, 90 per cent of the exhibitors want the schedule and it appeared yesterday this plan would be the first on the calendar for appeal in New York. It is possible the Los Angeles appeal will be set some time next week in addition to one or two other zones.

Any plan with limitations on duals will have to have twin bill clauses eliminated before Campi will hear it.

The clearance and zoning committee deciding to call upon the industry to join in correcting misunderstandings of local boards in drafting the schedules consists of Charles L. O'Reilly, George J. Schaefer, R. H. Cochrane and Nathan Yamins. These men, in addition to Walter Vincent, Division Administrator Sol A. Rosenblatt, Edward Golden, Harold S. Bareford, William Jenkins and Joseph Vogel, constituted Campi's tribunal yesterday.

The finance committee is still working on a new assessment plan to raise $180,000 from producers and distributors. It is expected to be ready for the next Code Authority session, the date of which has not yet been set.

Fan or Bubble?

Chicago, Aug. 30.—Looks like a hot time in the old town.

Sally Rand is giving her first stage presentation of her latest creation, the iridescent bubble dance at the Oriental. Around the corner, at the State-Lake, Faith Bacon is doing her popular fan dance.

Last year, about this same time, Sally knocked the World's Fair yokels for a loop and the Chicago for its highest week of the year waving her revealing plumes. The setup now is viewed as criterion on the question of whether the fan is mightier than the bubble and is regarded as highly important in the future of thousands of embryo fan dancers.

Reade No Exception

Although Campi suggested that Walter Reade sign an affidavit to the effect he would live up to a cease and desist order not to distribute cut-rate service passes at the Mayfair, the New York grievance board yesterday decided Reade should not be made an exception and that he carry out the original order without signing papers acknowledging the decision.

Brandt Is Guilty in Cut Rate Pass Case

(*Continued from page 1*)

long as the Globe's policy did not conflict with any other Broadway house. Brandt claimed that the Roxy couldn't complain against him on the ground that the Globe is not operating under the same policy.

Yesterday, Rosenblatt, in a letter to the grievance board, officially denied an oral agreement with Brandt, stating:

"Please be advised that I have no recollection of having had any such conversations as alleged by Brandt and have made no exceptions or exemptions orally or otherwise with respect to the Globe or any other theatre, so far as I know in connection with provisions of Article V, Division 1, Part 3, Section 1 of the code."

Loew's won two premature advertising decisions against independent exhibitors and withdrew a third when Dr. Leon Greenfield, who operates the Paras-Court in Brooklyn, promised he would not violate the code. David M. Loew asked to withdraw the complaint after considerable controversy over the matter. Greenfield promised to hold back his new weekly programs until Mondays so as not to conflict with pictures playing at Loew's Melba.

The two decisions in favor of Loew's were against the Pastime and Bluebird.

Brandt Continues to Expand; Now Has 26

Harry Brandt has purchased a 50 per cent interest in the Wyckoff and Willoughby theatres in Brooklyn from Morris Goodman, who will continue to operate in association with Brandt.

The additions mark a new total of 26 for Brandt.

St. Louis Price War Off Till Sept. 7

(*Continued from page 1*)

under way and are expected to be completed by next week, giving them a sufficient supply of six pictures a week under the twin bill idea.

Warners, only holdout in the proposed agreement to go singles in this city, is doubling at the Shubert Rialto and plans to adopt the same policy when the Orpheum is reopened Sept. 15.

Second and subsequent runs are understood planning radical reductions in admissions. F. & M. will charge 10 cents for children at the three houses when the cut-price plan goes into effect.

N. J. Ban Still Held Up by Consolidated

(*Continued from page 1*)

a stumbling block in the adoption of the plan, slated to go into effect Sept. 20.

Allied of New Jersey, sponsor of the dual drive, has lined up practically all of its members in favor of dropping twin bills. Trio-Consolidated has been approached and is said to be definitely against eliminating a second feature in its Jersey houses.

When queried yesterday on the reported turndown, Jack Springer, head of theatre operations for Trio, refused to comment one way or another. The plan must be 100 per cent approved before it can go into effect.

Reinhardt Spectacle For Roxy Discussed

(*Continued from page 1*)

of a People," which goes into the Seventh Ave. house Sept. 7 for an indefinite run. Cullman's idea would be to get Reinhardt to put on another show along the same general lines.

Reinhardt returns from the coast in two months, when he will start preliminary work on "Road of the Promise," which will be staged outdoors early next year. Cullman will continue his negotiations with the producer upon his return.

Loew's Gets "Cat's Paw"

Loew's has concluded negotiations with Fox for "Cat's Paw" for 65 Greater New York houses. Starting Sept. 14 the picture will play six de luxe houses and follow into the remaining houses for the latter half of the week showings.

Because of the individual sales policy on all Harold Lloyd pictures, separate deals had to be made.

Notables at Premiere

Hollywood, Aug. 30.—Harry Cohn chartered an entire car with the Southern Pacific to carry a flock of celebrities to the opening of "One Night of Love" at the Orpheum, San Francisco Wednesday. Among his guests were Ruth Chatterton, Clark Gable, Walter Connolly, Ann Sothern, George Raft, Edward G. Robinson and Edmund Lowe.

Moross Back in Town

Sam Moross is back at Campi headquarters after a nine-day stay in Buffalo, where he pinch-hit for the code secretary there, Jane M. Holloran, who recently lost her mother.

Distributors Threaten to Quit Mexico

(*Continued from page 1*)

tax will make prohibitive assessments even more so and force the darkening of Mexican theatres which depend almost entirely upon pictures imported from other countries, largely the United States.

The distributors figure the new tax will boost the total of various levies which confront them to 3,000 per cent. In the last three years, they declare the duty on discs has jumped 1,200 per cent; general duty, 450 per cent; levies on New York credits, 60 to 250 per cent, and municipal assessments in Mexico City 150 per cent.

Hold Funeral Rites For J. D. Williams

(*Continued from page 1*)

Skouras, Joe Brandt, Mrs. E. J. Hudson, Charles W. Barrell, Jay Gove, Martin Quigley, Colvin Brown, Walter F. Eberhardt and, touchingly enough, a number of men and women who occupied minor positions in First National when Williams was its general manager.

Dr. Caleb Moore of the Madison Ave. Presbyterian Church, conducted the services. The remains were cremated.

Services for Mrs. Warner

Services for Mrs. Benjamin Warner, mother of the four Warner Brothers, were held yesterday afternoon at the Warner Club in New York while the burial was under way in Los Angeles. Following the services, the entire office was closed for the rest of the day. Reverend Solomon A. Feinberg officiated.

Mary Pickford East

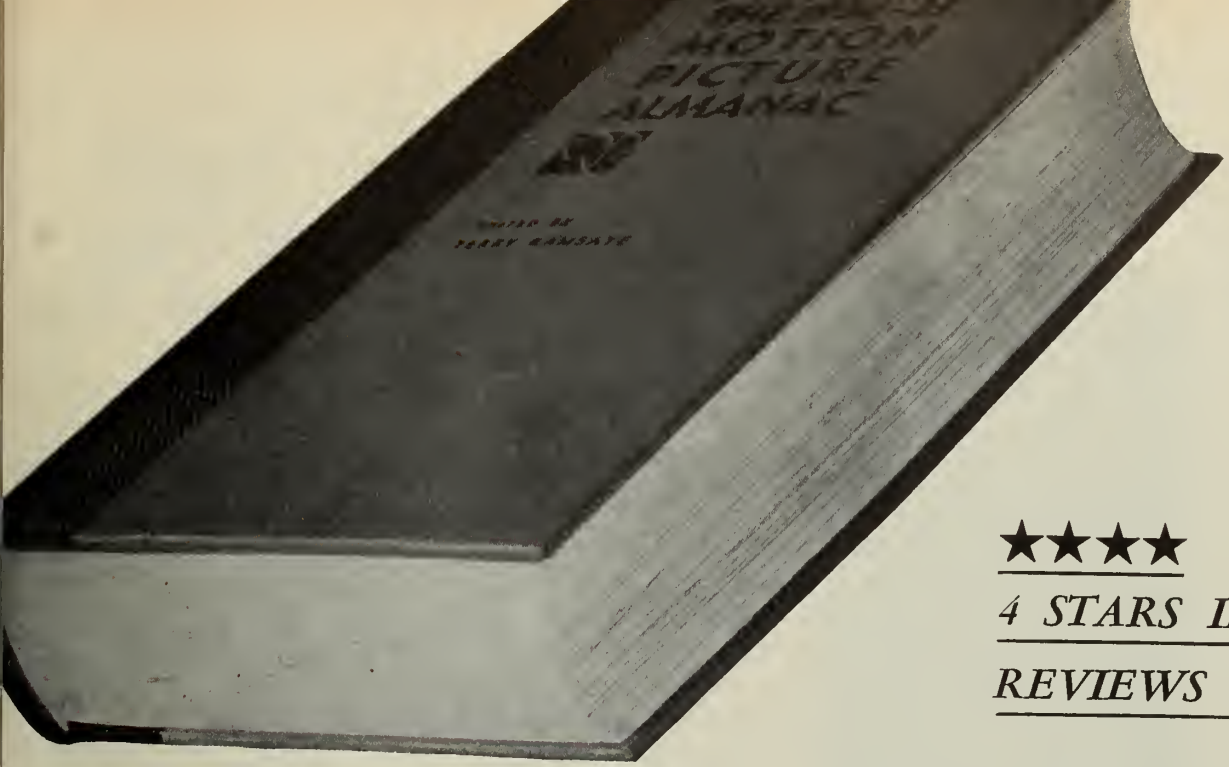
Cleveland, Aug. 30.—Mary Pickford arrives Friday to attend the opening of the National Air Races at Cleveland Airport. She will make the award of the Bendix trophy for the cross country speed record. Spending the day in Cleveland, Miss Pickford will leave that evening for New York.

Hamrick Takes Another

Portland, Aug. 30.—John Hamrick today officially announced the acquisition of the Pantages, which he has renamed John Hamrick's Orpheum. The house will reopen on a de luxe policy on Sept. 14 after complete renovation by the B. F. Shearer Theatre Equipment Co.

800 Cases Cleared

More than 800 clearance and zoning cases have been heard by the 32 code boards, it was stated at Campi yesterday. All of the cases have been cleared, starting the boards at scratch, as the new order to reconvene for protests becomes effective at once.



★★★★

4 STARS IN NEWSPAPER

REVIEWS EVERYWHERE

"A Treasure Trove"

WALTER SPEARMAN
motion picture critic
CHARLOTTE NEWS
Charlotte, N. C.

"For digging out facts about the motion picture industry I've just discovered a treasure trove. It is the 1934-35 Motion Picture Almanac. There is enough material in it to last a daily columnist about 365 days."

"A Compliment to the Industry"

WALTER D. HICKMAN
motion picture editor
INDIANAPOLIS TIMES

"The 1934-35 Motion Picture Almanac is the most complete authority on the movie industry I have ever seen. It is a compliment to the industry."

MOTION PICTURE ALMANAC

1790 BROADWAY NEW YORK

Won't Sue in K.C. Crusade On 'Indecency'

(*Continued from page 1*)

over the weekend and are still coming. We had the biggest Saturday and Sunday since opening the house last April."

Managers of other first runs feel the fight is theirs as well, because of the *Journal-Post's* announced policy of blaming them for the character of film entertainment at the subsequent runs. Theatre men regard the crusade as purely a bludgeon to force them to advertise in the *Journal-Post.* While all Kansas City theatres advertise regularly in the *Star,* the city's dominant paper, only three of the five first runs use the *Journal-Post* and but 18 of the 40 suburbans advertise in that paper's amusement directory. None of the Fox theatres advertises in it.

The paper recently inaugurated a policy of reviewing all shows, regardless of whether they are advertisers, explaining the reviews in the other daily are "biased and untrustworthy." The *Journal-Post's* weekly reviews of the Tower shows, and occasionally of the Fox Uptown's, the other non-advertising first run, have been decidedly biased and unfair, in the opinion of theatre men. The current attack is the climax of the paper's editorial campaign against the Tower.

Industry representatives here say the *Journal-Post* is inconsistent in crusading for clean shows inasmuch as it is currently running several objectionable features, including "Hollywood Unmasked," which consists of scenes deleted by the censors and scenes from so-called French versions together with parallel scenes as shown in this country. The *Journal-Post's* rotogravure section is entirely devoted to the latter feature.

It is also pointed out that on the day the *Journal-Post* launched its crusade against offensive theatre entertainment, a Dorothy Dix article in the self-described family newspaper dwelt entirely on the sex problem.

In the Night

Neon-lighted signs, recently installed in the coast headquarters building of Quigley Publications, telling their story nightly for all of Hollywood to see.

Star, Opposing Post, Using "Clean" Stills

KANSAS CITY, Aug. 30.—In contrast to the sensational feature, "Hollywood Unmasked" currently running in a number of newspapers, the *Star* has announced a policy of cooperation with the industry in not publishing pictorial material that may add fire to the present "cleanup" campaign.

While the *Journal-Post* is filling its Sunday rotogravure section with "Hollywood Unmasked," the *Star* prints a page of pictures depicting scenes from forthcoming releases that are in no way objectionable. Since the pictures are to be shown in local theatres, managers are appreciative of the *Star's* cooperation.

Stating that no old pictures will be used, the *Star* announces as its policy:

"Hollywood, in an effort to satisfy the public desire for more wholesome conditions on the screen, has imposed a censorship upon its own still photographs in order to eliminate the naked and the vulgar. The leaders of the motion picture industry have asked the reputable press to cooperate by refraining from reviving old scenes made by persons who had no sense of moral responsibility. This department is happy to cooperate in so beneficial a movement." The statement is signed by John C. Moffitt, the paper's film critic.

"Hollywood Unmasked" consists of more than 400 censored and allegedly suppressed pictures and, according to the *Journal-Post's* blurb, "pictures from Hollywood actors and directors which movie stars would pay thousands of dollars to keep out of circulation." The feature is syndicated by the *Register* and *Tribune* of Des Moines.

Cal. ITO to Appeal To NRA on Labor

LOS ANGELES, Aug. 30.—Decision to appeal to the NRA for a fair settlement of the union situation here was made at the first membership meeting of the revamped I.T.O. of Southern California today. The majority sentiment was against arbitration. Definite action on this point will be decided by a committee comprising Jules Wolfe, Irving Carlen and Harry Popkin.

The meeting was pessimistic over the chances of there ever being a settlement of the duals problem. I. E. Chadwick urged all independents stick together to survive. All dues owed up to Sept. 1 were canceled. That is the date on which the new administration comes into office. There were 50 new members at the meeting.

The show planned by the organization to raise funds is tentatively set for Oct. 22 at the Pantages.

Charles Dillingham Dead

Charles B. Dillingham, widely known theatrical producer and former owner of a chain of legitimate theatres in principal cities of the country, died at nine o'clock last night in his Hotel Astor apartment. Dillingham had been suffering from arterio sclerosis and had suffered several heart attacks during recent months.

MacMahon-Kibbee Again

HOLLYWOOD, Aug. 30.—Warners has bought an original by Ralph Spence titled "Social Pirates" as a vehicle for Aline MacMahon and Guy Kibbee.

Waring on Stage, Fields on Screen Do $21,000 in Buffalo

Buffalo, Aug. 30.—Waring's Pennsylvanians on the stage and "The Old Fashioned Way" on the screen set the pace in Shea's Buffalo at $21,000, nearly $7,000 over normal in a generally brisk week. Weather was fair and cool.

Total take was $43,000. Average is $36,300.

Estimates for week ending Aug. 24:

"THE OLD FASHIONED WAY" (Para.)

BUFFALO—(3,500), 30c-55c, 7 days. Stage: Fred Waring and his Pennsylvanians, Babs Ryan, Lane Sisters, Tom Waring, Poley McClintock. Gross: $21,000. (Average, $14,300.)

"A VERY HONORABLE GUY" (F. N.)
"LAUGHING BOY" (M-G-M)

CENTURY—(3,000), 25c, 7 days. Gross: $7,200. (Average, $6,000.)

"MURDER ON THE BLACKBOARD" (Radio)
"KEEP 'EM ROLLING" (Radio)

COURT STREET—(1,200), 25c, 7 days. Gross: $1,100. (Average, $1,500.)

"THE WORLD MOVES ON" (Fox)

HIPPODROME—(2,100), 25c-40c, 7 days. Gross: $6,800. (Average, $8,000.)

"WHOM THE GODS DESTROY" (Col.)
"EMBARRASSING MOMENTS" (Univ.)

LAFAYETTE—(3,300), 25c, 7 days. Gross: $6,900. (Average, $6,500.)

Los Angeles Holds Gain; 'Forever' Top

LOS ANGELES, Aug. 30.—The city continues to show better grosses. Despite prevailing warm weather, receipts in practically all first runs here and in Hollywood showed additional strength last week.

Best performance of all was "Now and Forever" at the Paramount. There the grosses ended at $29,998 as compared with an average take of $18,000. Second week of "Treasure Island" at Loew's State brought $20,505. This is excellent. "The Circus Clown" went $5,500 over normal at Warners' Hollywood to a total of $19,500. Downtown, the gate was $18,000.

Total first run business was $99,003. Average: $69,200.

Estimated takings for the week ending Aug. 29:

"TREASURE ISLAND" (M-G-M)

LOEW'S STATE—(2,413), 30c-55c, 7 days, 2nd week. Short, Pete Smith's "Goofy Movies," news. **Gross:** $20,505. (Average: $14,000)

"NOW AND FOREVER" (Para.)

PARAMOUNT—(3,595), 30c-55c, 7 days. On the stage: Fanchon & Marco revue with Al Lyons; short, news. **Gross:** $29,998. (Average: $18,000).

"DOWN TO THEIR LAST YACHT" (RKO)

RKO—(2,700), 25c-40c, 7 days. News, shorts. **Gross:** $6,000. (Average: $8,000)

"CIRCUS CLOWN" (F. N.)

WARNER HOLLYWOOD—(3,000), 25c-55c, 7 days. Shorts, news. **Gross:** $19,500. (Average: $14,000)

"CIRCUS CLOWN" (F. N.)

WARNER DOWNTOWN—(3,400), 25c-55c, 7 days. Shorts, news. **Gross:** $18,000. (Average: $12,000)

"THE HUMAN SIDE" (Univ.)
"PARIS INTERLUDE" (M-G-M)

PANTAGES—(3,000), 25c-40c, 7 days. News, short. **Gross:** $5.000. (Average: $3,200)

Receivership Won't Darken Cincy Spots

CINCINNATI, Aug. 30.—Operation of the Shubert and Cox, which passed into receivership Saturday, will be continued by Ben L. Heidingsfeld, receiver, under supervision of Haveth E. Mau and Abraham Lipp, attorneys, who filed the petition for the Trebuhs Realty Co. of New York.

The Shubert is expected to play several roadshow pictures during the season. The Cox probably will remain dark. Nelson G. Trowbridge remains as manager.

Balcony Smoking in L. A. Legal Saturday

LOS ANGELES, Aug. 30.—Smoking in balconies at Class A houses here goes into effect Saturday through an agreement between theatre operators and city officials. Fox West Coast will inaugurate the policy, which originally was not to become effective until Sept. 21.

Marion Injuries Bad

HOLLYWOOD, Aug. 30.—Injuries sustained by Frances Marion, scenarist, in an auto accident on the Ridge Route between here and San Francisco, are serious. She is suffering from a fractured collarbone, contusions and possible internal injuries.

The Leading Daily Newspaper of the Motion Picture Industry

MOTION PICTURE DAILY

Alert, Intelligent and Faithful Service to the Industry in All Branches

VOL. 36. NO. 53 NEW YORK, SATURDAY, SEPTEMBER 1, 1934 TEN CENTS

Midwest Aims To Establish Film Quality

Rhoden Tells Another Angle of Move

KANSAS CITY, Aug. 31. — This year's advertising campaign of Fox Midwest Theatres is designed not only to publicize the season's attractions but "to breed in your community a feeling that pictures generally are much improved and worthy of attendance," the circuit's managers are informed by Elmer C. Rhoden, division manager.

Commenting on the campaign in a message included in the division's 1934-35 manual, Rhoden says:

"We have recently been faced with the most bitter and relentless attack that has ever been leveled at our industry. All sects and creeds have apparently joined hands for the

(Continued on page 4)

RKO Stays in R. C.; New Leases Pend

RKO headquarters will continue to be maintained in Radio City, although no new leases to replace those expiring today have been concluded yet, it was stated yesterday.

The Center is being dropped from the RKO Radio City leaseholds; the

(Continued on page 4)

Music Hall's $71,000 Broadway's Leader

The Music Hall led last week's grosses on Broadway, garnering a neat $71,000 on the second and final week of "Cat's Paw." The Capitol with "Hideout" had a nice take of $41,500 and the Roxy, with $26,700 for "Charlie Chan's Courage," was plenty in the black.

"How's Business?"

Columbus, Aug. 31.—Establishing a local precedent, especially for a neighborhood house, the Victor is showing an all-Russian program. The feature is "Patriots," a Soviet film produced in the U. S. S. R. by Myrabpomfilm.

The shorts deal with various phases of Russian activities.

ITOA Favors Conciliation With Unions

Peaceful Policy Will Prevail in Future

With the appointment of a labor committee headed by Dr. Leon Greenfield, Brooklyn circuit owner, the I.T.O.A. will try to conciliate differences between its members and local operators' unions.

The exhibitor committee does not want to aggravate union matters and is in favor of a peaceful settlement of all controversies to the end that picketing will eventually be eliminated.

An attempt is being made by the committee to meet George E. Browne,

(Continued on page 4)

Orpheum, Frisco, to Extended Run Policy

SAN FRANCISCO, Aug. 31.—With "One Night of Love" opening yesterday at the Orpheum to $300 over any previous day's opening, Fanchon and Marco has decided to adopt an indefinite showing policy. All new bookings will remain as long as the box office receipts warrant.

From present indications, F. & M. plans to hold the Columbia picture for six to seven weeks. In addition to Columbia's lineup, the theatre will show Universal's output.

British Sign Asther, Brook and Beaudine

E. O. Gurney of the Schulberg-Feldman-Gurney office on the coast arrived yesterday from a two-month European trip during which he closed deals with British companies for the services of Clive Brook, William

(Continued on page 4)

Just in Case

Toronto, Aug. 31.—An unfinished theatre in Toronto is being picketed by organized labor! This is the Pape Theatre which is being constructed in the East End and the action was taken by building trades union because the men on the job are being paid less than the union scale, it is claimed. Hence, paraders with banners are marching in front of the theatre although it is not scheduled to open until October.

St. Louis May Defer Action On Price War

ST. LOUIS, Aug. 31.—In a move to stave off a general price war here, Fred Wehrenberg, president of the local M.P.T.O,. and John Cunliff, head of the St. Louis Amusement Corp., today called a mass meeting of leading exhibitors to discuss admissions and dual features.

As a result, F. & M. has temporarily abandoned its planned price reductions at the Ambassador, Missouri and Fox. The price slices were to have gone into effect yesterday. However, F. & M. has gone to twin bills

(Continued on page 3)

Tariff Deal May Aid U. S. Films in Brazil

WASHINGTON, Aug. 31.—Sales of American films to Brazil, which have dropped 50 per cent in the last four years, may be bolstered by tariff negotiations announced today by the Department of State.

Revealing an intention to initiate discussions for tariff concessions with

(Continued on page 4)

Loew Expansion in New York Reported Over for Present

Having acquired the Gem, Far Rockaway, and replaced the Freeman, which was recently dropped, by the Boston Road in the Bronx, Loew's will not take over any more theatres in the local territory from independents, it is indicated.

Loew's figures that selling in the New York areas is practically completed for the new season and that, if any more theatres were taken over, it may find considerable difficulty in lining up product.

No new theatres are planned in this territory for the next two years. Certain spots are being watched but until they are developed to the point where a new house would warrant building, the circuit will not enter such zones.

ASCAP Going Ahead With Tax Increase

Exhibitor Units to Drop Medalie Assessments

No change in the plans of the American Society of Composers, Authors & Publishers to place in effect on Oct. 1 its schedule of music tax increases against theatres will be made as a result of the filing on Thursday of the government's anti-trust action against ASCAP and other music licensing groups, E. C. Mills, ASCAP general manager, said yesterday.

Meanwhile, important exhibitor organizations such as T.O.C.C., Allied States and I.T.O.A. were preparing to abandon plans for assessing member theatres a penny a seat to contribute to the "war chest" being raised by the national exhibitors' emergency committee to institute a suit against ASCAP such as that of the government's. The exhibitor organizations were said to be proceeding on the theory that nothing more could be ac-

(Continued on page 3)

Circuits Agree To Jersey Dual Ban

Every affiliated circuit in New Jersey has agreed to end double featuring as soon as independent exhibitors in strategic spots become parties to the agreement and make the statewide return to single bills possible, it was learned yesterday.

The double feature ban in Jersey was to become effective on Monday but about 35 independent houses still remain to be converted to the agreement, which has been signed now by 175 theatres, it was stated.

Stebbins Is Here for Burial Arrangements

Arthur Stebbins is due to arrive from Hollywood by plane today to make preparations for funeral services for his wife Bella, and her two

(Continued on page 4)

No Issue Monday

Motion Picture Daily **will not publish on Monday, Sept. 3, which is Labor Day and a legal holiday.**

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DAILY

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Seider Reported in Deal for Fox Lineup

Negotiations are understood under way between Joseph Seider and Fox for the latter's product over the Prudential circuit in Long Island. Fox has been out of the circuit for several years.

Seider has pooled a number of Long Island houses with A. H. Schwartz. As a result of this deal, Morris Kutinsky withdraws the Community, Queens Village, from a booking and buying arrangement with Seider.

Saland Closes Print Compact With Hackel

Nat Saland yesterday closed a deal with William A. Hackel of Supreme Pictures whereby Mercury laboratories will handle the film printing on eight Bob Steele westerns, which are being distributed by William Steiner.

Hackel flew to the coast upon completion of the deal. The first release, "Demon for Trouble," is now being printed and the second is expected in New York Sept. 10.

M-G-M Sat. Closing Stays

M-G-M employes have been advised that until further notice the home office will be closed Saturdays. The original Saturday closing was effective until Labor Day.

Theatre Activities Quicken Along Line

Approach of Labor Day and the official launching of the 1934-35 season continue to find activity in exhibition stirring in virtually all sections of the nation.

Among the developments reaching New York yesterday from MOTION PICTURE DAILY correspondents were these:

OMAHA, Aug. 31.—The local Campi office learns C. C. Goodrich, exhibitor at Stromsburg, Neb., has agreed to reopen his theatre after having been petitioned to do so by the town's businessmen and civic leaders.

Goodrich closed his house a few months ago after repeated warnings he could not operate unless the ban on Sunday shows was lifted. When it appeared the moralists would have their way, he quietly closed his house. Protests were registered immediately, but Goodrich was adamant. A compromise was finally struck and the house will open in two weeks. Sunday shows have been promised for some future date. Stromsburg is one of the last "blue law" towns in Nebraska, Lincoln, the capital, being one of the last major towns to allow Sunday shows.

Henry Rogge will open a theatre at Holdrege, Neb., with all new equipment.

W. S. Whitefield at Peru, Neb., will reopen his theatre Sept. 13.

C. L. Peckham at Blue Springs, Neb., has installed sound-on-film equipment.

NOBLESVILLE, Ind., Aug. 31.—H. P. Vonderschmit will reopen the Wilds with Photophone "High Fidelity" sound.

CAMDEN, N. J., Aug. 31. — The Broadway, 1,100-seat de luxe house which was almost totally destroyed by fire a short time after it had been opened, has been completely rebuilt and has installed "High Fidelity" sound. M. B. Ellison is manager of the house and secretary of the operating company.

COLUMBUS, O., Aug. 31.—The Fifth Avenue, 265-seat neighborhood house, dark for three years, will reopen with a straight picture policy Sept. 6.

New sound equipment is being installed, and other improvements are being made, according to Ray Miller, who will manage.

CINCINNATI, Aug. 31.—Rebuilding of the Hippodrome, a unit of the Frankel Circuit, at Newport, Ky., just across the river from here has been completed. The house was destroyed by fire several months ago.

MEMPHIS, Aug. 31.—The Strand operated by M. A. Lightman, reopened here last night with "Twentieth Century." The house was closed several weeks ago for extensive alterations.

CLEVELAND, Aug. 31.—The Palace, local unit in the Taft chain, reopens tomorrow after a 30-day period of inactivity.

Concurrently, the Paramount, major house of the local setup, discontinues double features on Friday and Saturday, and reverts to "encore night" each Friday, playing the extra feature at the 9 P. M. showing.

PHILADELPHIA, Aug. 31.—Stanley-Warner will open its newest neighborhood house here, the Yorktown, Labor Day. A half-million dollar project, the house is of the de luxe type. "Here Comes the Navy" will be the opening feature.

Two down-town reopenings in the local Stanley chain are the Victoria and Aldine.

CINCINNATI, Aug. 31.—The RKO Capitol, shuttered for the past few months, will be relighted tomorrow, playing first runs on a full week basis. "The World Moves On" is the opening feature.

PHILADELPHIA, Aug. 31.—A lease has been negotiated for a site in Chestnut St. here for a Trans Lux house, and it is expected the theatre will be ready about Jan. 1.

Marcus Made Associate

HOLLYWOOD, Aug. 31.—Lee Marcus, head of Radio's comedy unit, is now an associate producer. His first feature assignment will be "Kentucky Kernels," starring Wheeler and Woolsey.

"Wandering Jew" Dated

"The Wandering Jew" goes into the Capitol Sept. 14, supplemented on the stage by the Fokine Ballet, Russian dancers.

Pathe "A" Off 1½ on Big Board

	High	Low	Close	Net Change	Sales
Consolidated Film Industries	13⅛	13⅛	13⅛	— ⅜	100
Eastman Kodak	99¾	99¾	99¾	+ ⅞	100
Eastman Kodak, pfd	140	140	140	.....	100
Fox Film "A"	11⅜	10⅜	11⅜	— ½	700
Loew's, Inc.	27¼	26½	27¼	.....	2,000
Loew's, Inc., pfd	94	94	94	.....	200
Paramount Publix, cts	4	3⅝	4	+ ¼	1,100
Pathe Exchange	1⅛	1	1⅛	.....	3,400
Pathe Exchange "A"	14½	13	13¼	—1½	3,700
RKO	2¼	2¼	2¼	.....	200
Warner Bros.	4⅜	4¼	4¼	— ¼	300

Technicolor Declines ¼ on Curb

	High	Low	Close	Net Change	Sales
Technicolor	12⅞	12⅞	12⅞	— ¼	100
Trans Lux	1½	1½	1½	— ⅛	100

Trading in Bond Market Light

	High	Low	Close	Net Change	Sales
General Theatre Equipment 6s '40	7	5⅞	6	.....	9
Keith B. F. 6s '46	61	61	61	.....	1
Loew's 6s '41, ww deb rights	102½	102	102½	+ ½	2
Paramount F. L. 6s '47	47	46	46	— ½	1
Paramount Publix 5½s '50	47	47	47	.....	1
Warner Bros. 6s '39, wd	53	53	53	.....	3

◂ Purely Personal ▸

BINNIE BARNES, English player under contract to Universal, arrives in town tomorrow by plane. She leaves on the *Majestic* Tuesday for England, where she will discharge a contract she has with ALEXANDER KORDA. She returns to America on Feb. 15, 1935.

ALICE TERRY (Mrs. Rex Ingram), PHIL BAKER, his wife and daughter, and ARTHUR L. ERLANGER were among the passengers sailing yesterday on the *Conte di Savoia.*

STUART ERWIN and JUNE COLLYER (Mrs. Erwin), here on vacation, will make it a busman's holiday Tuesday night by attending the Capitol's first evening performance.

JACK KENT, of Producers Laboratories, Inc., is convalescing from a recent heart attack. He hopes to be back on the job in two or three weeks.

GRACE MOORE left the coast last night for New York to attend the premiere of "One Night of Love" at the Music Hall next Friday.

LESTER STURM, Fox Detroit exchange manager, has returned to the automobile city after a short visit to the home office.

SIDNEY SAMUELSON, his mother, wife and daughter leave tomorrow on an automobile trip to Yellow Springs, O.

DIVISION ADMINISTRATOR SOL A. ROSENBLATT arrives from Washington today to spend the Labor Day week-end at his Great Neck home.

SIGMUND ROMBERG leaves Hollywood for New York on Tuesday to begin radio broadcasts and produce his new opera, "Moment of Love."

JOSEPH MOSKOWITZ, vice-president of 20th Century, leaves for the coast today on a short trip.

BOB SAVINI returned yesterday from a tour of independent exchanges.

HARRY ARTHUR leaves next Tuesday for St. Louis to look over the general theatre situation.

TOM CONNORS of M-G-M has returned from a southern exchange tour.

W. J. KUPPER, Fox western division sales manager, is back at his desk after a trip to the coast.

SHIRLEY TEMPLE'S first starring vehicle on the new Fox lineup will be "Bright Eyes."

CHARLES L. O'REILLY will go to Buffalo next week.

JOE O'REILLY returns from the coast Sept. 8.

Deals Set for "Ra-Mu"

Distribution deals were set yesterday by Fairhaven Prod., Ltd., for Capt. E. A. Salisbury's South Seas adventure picture, "Ra-Mu," with Charles J. Klang of Philadelphia for the eastern Pennsylvania territory; M. M. Jeffrey for New England and J. J. Franklin Enterprises for Hawaii.

John W. Hicks Returning

John W. Hicks, Paramount foreign manager, returns next Thursday from a two months' business trip abroad.

ASCAP Going Ahead With Tax Increase

(*Continued from page* 1)

complished by exhibitor action than is being attempted in the Federal suit.

Members of the legal committee, which early this week retained George Z. Medalie, former U. S. District Attorney here, to prosecute the exhibitors' action against ASCAP, stated that they had been unable to obtain copies of the government's bill of complaint, which was filed in U. S. District Court here on the order of Attorney General Homer S. Cummings, and withheld comment on the significance to exhibitors of the Federal action.

The unofficial opinion, however, was that the exhibitors' proposed suit would be unnecessary now. A meeting of the legal committee will be held early next week to study the government's complaint and make final decisions on future procedure.

Mills, reached at his Shelter Island retreat by telephone yesterday, gave no indication that ASCAP regarded the government's suit in any different light from that of other actions brought against it in the past. In addition to declaring that filing of the suit would have no effect on ASCAP's plans for putting its proposed music tax increases into effect on Oct. 1, Mills said that his organization had not yet been served in the government's action.

Will Defend Suit, He Says

"When we are," he said, "we will defend the suit. We have been engaged for 20 years in defending our members from similar actions and see no reason for regarding this suit as any different from the others. We have no reason to believe that we are operating illegally."

Gene Buck, president of ASCAP, echoed Mills's statement in a formal release to the press yesterday.

Walter Vincent, chairman of the exhibitors' emergency committee, was out of town yesterday and could not be reached for comment.

The government's action also names Music Publishers' Protective Ass'n and Music Dealers' Service, Inc., as joint defendants with ASCAP, as well as more than 100 member firms and individuals identified with those licensing groups. The suit asks for dissolution of the three principal groups; alleges conspiracy in restraint of interstate trade, monopolistic practices in violation of the Sherman anti-trust law, and seeks restraining orders to prevent the organizations from making license agreements on any other basis than open competition among music copyright owners.

While the government's complaint is directed mainly against the music groups' relations with radio broadcasters it is made all inclusive, according to legal observers, in the scope of the restraining orders asked, the dissolutions sought and the general relief which is petitioned.

Opinions were also voiced again yesterday that the success of the government's suit might affect music costs in film production and, hence, the score charge.

St. Louis May Defer Action On Price War

(*Continued from page* 1)

at the three houses pending outcome of the session.

Wehrenberg and Cunliff are hoping to get 90 per cent of the exhibitors lined up for continuance of present admission scales. It is also hoped to get the same amount of exhibitors to hold off on bringing back twin bills, although many have bought with this policy in mind.

Warners is understood to have refused to be a party to any plan affecting the Shubert-Rialto. The sentiment here is that if 90 per cent of the theatre owners agree to continue present admission prices and lay off duals, the plan will go through without Warners. It is understood Warners' adamant attitude is a result of a peeve with F. & M. for taking over the Grand Central, Missouri and Ambassador recently.

Warners made an unsuccessful attempt to get the houses and are now understood determined to fight F. & M. by acquiring other theatres. The Orpheum already is in the Warner fold and reopens in two weeks.

The meeting today was called after Wehrenberg and Cunliff had read of F. & M.'s plans for slashing admissions in MOTION PICTURE DAILY. Admissions under the plan were to be cut from 55 cents to 40 cents evenings and from 35 cents to 25 cents matinees.

Overbuying Charged In Port Jervis Case

First local overbuying case to crop up in some time is slated for hearing before the New York grievance board Sept. 13.

The complaint is filed by the Royal, Port Jervis, N. Y., against Harry Shiffman's Strand and Ritz, same city; United Artists, Universal, Warners, RKO, Columbia, M-G-M and Fox.

The plantiff claims that he was forced to close May, 1933, due to insufficiency of product and reopened January, 1934, after buying a part of Paramount's product. He also shows a number of independent pictures, but claims that unless he is able to procure first runs from defendant distributors, he will be forced to close his doors.

Bond Plan Set for Canadian Holders

MONTREAL, Aug. 31.—Holders of $222,700 mortgage bonds of the Canadian Theatre Company, Montreal, operating the Princess Theatre, an independent first-run house, have agreed to a reduction in bond interest from 6½ to 5 per cent for a period of three years starting Sept. 1, the rate to revert to the original scale in 1937.

Business conditions are such, however, that the company has been able to consent to a payment of $845 per week to a trust company to cover interest and taxes and the concession granted by bondholders will enable the theatre to catch up on tax arrears, it is announced.

Denver Gets Smash Hit in "Cleopatra"

DENVER, Aug. 31.—"Cleopatra" was a smash hit here this week as grosses soared over average at all first runs. Playing to packed houses, the DeMille film brought the Denham $15,000, which compares with an average of $4,000. The runner-up was "Treasure Island," with a take of $9,000 at the Denver. This figure was over par by $3,000. "The Last Gentleman" in its second week at the Aladdin pulled $3,500, above average by $1,000. "Dames," transferred from the Denver to the Paramount for a second week in town, was $500 over the house's average of $2,000.

Total first run business was $37,500. Average is $20,000.

Estimated takings for the week ending Aug. 30:

"THE LAST GENTLEMAN" (U. A.)
ALADDIN—(1,500), 25c-35c-50c, 7 days. **Gross:** $3,500. (Average, $2,500.)

"CLEOPATRA" (Para.)
DENHAM—(1,500), 25c-35c-50c, 7 days **Gross:** $15,000. (Average, $4,000.)

"TREASURE ISLAND" (M-G-M)
DENVER—(2,500), 25c-35c-50c, 7 days. **Gross:** $9,000. (Average, $6,000.)

"ONE MORE RIVER" (Univ.)
ORPHEUM—(2,600), 25c-35c-50c, 7 days. **Gross:** $7,500. (Average, $6,000.)

"DAMES" (W. B.)
PARAMOUNT—(2,000), 25c-40c, 7 days. **Gross:** $2,500. (Average, $2,000.)

Boards Upheld by Campi in 6 Appeals

Decisions backing grievance boards in six cases submitted to it on appeal were made public by Campi yesterday. In a seventh case a board ruling was reversed.

In the six instances where boards were upheld appeals had been brought by the respondents. These were:

James Beatty, Liberty, San Jose, Cal., against Maurice Klein and Charles Hayman, Victory, same city, charging operation of "bank nights."

John T. Rennie and Son, Rennie, San Fernando, Cal., against the San Fernando, same town, charging operation of "bank nights."

Jenne H. Dodge, Mission, Ventura, Cal., against Fox West Coast, American Amusement Co., Principal Theatres and the Ventura, the same town, charging operation of "bank nights."

Charles Greime, Vitaphone, Wenatchee, Wash., against Evergreen State Amusement Corp.'s Liberty, same town, and E. A. Zabel, Capitol, Olympia, Wash., against Evergreen's Liberty, same town, charging operation of "bank nights."

Victory Amusement Co.'s Victory, E. W. Kerr's Sante Fe, E. J. Ward's Jewel, DeWitt Webber's Webber, Rex Theatre Corp.'s Rex, International Amusement Co.'s Ogden, Nokomis Theatres' Hiawatha, D. R. Kline's Alpine, all of Denver, against William Fox Isis Investment Co.'s Isis and Associated Theatres' Mayan, same city, charging operation of "bank nights."

The same complainants as in preceding case against Amusement Enterprises, operating Egyptian, Granada and Oriental, Denver, charging operation of "bank" and other nights.

The decision reversed was in the case of Fred Jabley, Jablex, La Grange, Ga., against Walter Brandenburg, Family and Ritz, same town, charging operation of "bank nights." The grievance board in this instance found in favor of the respondent.

New Paper for Carroll

HOLLYWOOD, Aug. 31.—Columbia has written a new long term contract for Nancy Carroll. Her first picture under the new deal will be "Spring 3100."

"Richest Girl" Completed

HOLLYWOOD, Aug. 31.—"The Richest Girl in the World" has been completed at Radio.

"Hideout" Is Acer in K.C. At $12,900

KANSAS CITY, Aug. 31.—"Hideout" was the week's acer, zooming the Midland's take to $12,900, above par by $2,900. The Tower continues in the record-breaking column, the gross on "The Defense Rests" and a stage show titled "Rose Garden Revue" soaring to $8,100. Elsewhere first run business was decidedly off.

Total first run grosses were $32,000. Average is $31,500.

Estimated takings:

Week Ending Aug. 23:

"RETURN OF THE TERROR" (F. N.)
"THEIR BIG MOMENT" (Radio)
MAINSTREET—(3,100), 25c, 7 days, plus Saturday late show. **Gross:** $4,900. (Average, $6,000.)

"HIDEOUT" (M-G-M)
MIDLAND—(4,000), 25c, 7 days, plus Saturday midnight show. **Gross:** $12,900. (Average, $10.000.)

"LADIES SHOULD LISTEN" (Para.)
"CALL IT LUCK" (Fox)
NEWMAN—(1,800), 25c, 7 days, plus Saturday late show. **Gross:** $3,600. (Average, $5,500.)

"THE DEFENSE RESTS" (Col.)
TOWER—(2,200), 25c, 7 days, plus Saturday midnight show. Stage: "Rose Garden Revue," with Harris & Shore, 4 McNallie Sisters, Sanna & Loomis, Waldeck & Mitzi, Lester Harding, m. c. **Gross:** $8,100. (Average, $6,500.)

Week Ending Aug. 24:

"ROMANCE IN THE RAIN" (Univ.)
UPTOWN—(2,000), 7 days. **Gross:** $2,500. (Average, 3,500.)

Two Theatre Groups Incorporate in Del.

DOVER, DEL., Aug. 31.—American World Theatres, Inc., National States Operating Corp., and National Recording Studios, Inc., were chartered here today.

American World Theatres was incorporated to do a general export and import business, listing capital of 6,000 shares, no par value. The incorporators are C. S. Peabbles, Walter Lenz and B. R. Jones of Wilmington.

National States Operating Corp., was chartered to operate theatres and other places of amusement, listing capital stock of 1,000 shares, no par value. The incorporators are Peabbles, Lenz and Jones.

National Recording Studios was chartered to deal in talking devices of all kinds, listing capital of $2,500 and 500 shares, no par value. The incorporators are J. Vernon Pimm, Albert G. Bauer of Philadelphia and R. L. Spurgeon of Wilmington.

Equity Plans Stage Roadshow Circuit

Organization of a legitimate theatre roadshow circuit to play 12 performances weekly at $1 top for drama and $1.50 top for musical revues in smaller cities will be discussed by Actors Equity Ass'n at a meeting in the Astor Hotel, Sept. 28.

The plan, proposed by Max Gordon and having the backing of the League of N. Y. Theatres, calls for the booking of each show for a period of 10 weeks. Pay concessions from stage hands and musicians' unions are regarded necessary for the success of the plan.

Midwest Aims To Establish Film Quality

(*Continued from page* 1)

avowed purpose of 'cleaning up' pictures. I do not consider it good policy to attempt to answer these criticisms directly because, as a matter of fact, many of them are warranted and just.

"While the theatre-going public may not be greatly concerned in the present furore over 'better pictures,' the producers are desperately trying to meet the demands not only of the critics but of the theatre-goers as well. While the whole matter is somewhat disturbing at present, we will in the future remember it as a great step forward. Eventually it will create new patrons for us. We want to take full advantage of the opportunities presented as a result of the discussion that has started.

"It does not behoove us to attempt to answer criticism or to try to explain away our past mistakes, nor does it seem desirable that we come out with announcements and say the movies have 'cleaned up.' Instead, we have planned a campaign of advertising that will prove the movies have changed without our actually saying so. We are listing an array of classical, popular and standard literature coming to our screens and none but the most savage and most prejudiced critic will fail to observe a great difference in the movies of this year as compared to last.

Up to Theatre Men

"You men in the theatres this year have a great responsibility. Our industry is facing a crisis. Drastic national censorship threatens us. In the final analysis it will be the individual theatre men scattered across the country who will save the industry. Right now we need much tact and diplomacy on your part. You are in direct contact with the public, not only personally but through your advertising. Only through you can our critics be impressed with the changed type of entertainment we are offering this year.

"Aside from allaying criticism, it is good business to reach and bring to our theatres a class of people who do not ordinarily attend. For years we have been depending upon the dyed-in-the-wool movie fan. We have neglected the so-called 'highbrow,' the church folks and the discriminating entertainment seeker on the general theory that they were too hard to bring out and too hard to please after we got them. But our experience with 'Little Women' and 'David Harum' was convincing proof that there is a vast audience waiting if we are able to deliver what it wants. Judged by the plans of the various producers, we are going to be able this year to offer this great group the kind of entertainment it wants. It is your job to get the information to them.

After "Two Birds"

"The plans laid out in this manual combine public relations with advertising. We are trying to kill two birds with one stone. Not only do we want the movie fans, and everyone else, to know what is in store for them, but we want our critics to see the list of enduring favorites that are to be made into films. We are laying little stress on the Mae West pictures, the Gables, the Crawfords, the Rogerses because we know that the admirers of these stars will come out as usual, but we are stressing the pictures made from popular books because we know that is the best and most positive way to answer our critics, and at the same time reach that large group of folks who only rarely attend our theatres."

Looking 'Em Over

"Blind Date"

(*Columbia*)

A good programmer that should have no trouble at the box-office. It should do particularly well in small towns and neighborhood houses. Roy Neil directs effectively, bringing about pleasing results from a moderate story. Al Siegler's photography is good.

The story is the familiar one of the poor working girl, engaged to a boy of her own class, who meets a wealthy society chap, falls for him only to be disillusioned and finally marries him in the end after her fiance makes the noble gesture and releases her.

Ann Sothern, very well cast and photographing excellently, handles her assignment perfectly, but it is Paul Kelly, her hard-boiled fiance, who will attract audience attention by his performance. Neil Hamilton handles the role of the socially prominent sweetheart in capable fashion.

The cast also includes Spencer Charters, Jane Darwell, Joan Gale and Mickey Rooney, all laugh-getting members of Miss Sothern's family. Production code seal No. 69. Running time, 65 minutes.

DeMille for Decency Without Censorship

New Orleans, Aug. 31.—Cecil B. DeMille, speaking here today before the Rotary Club, declared that, while he was for clean films, he did not believe in censorship because he regarded it as "un-American."

"Vulgarity, bad taste and filth are not necessary in any movie and are never a substitute for brains," he said. "If the movies are censored it is only a step to national censorship of the press and free speech, and this eventually will put a brass ring in the noses of the American public by which they will be led around by a small group of reformers or politicians.

"Without crime, sin and strife there would be no drama. You read about a crime wave in the United States and some blame it on the movies. England, France and Germany show the ones we make in Hollywood but they have no crime wave."

St. Louis, Aug. 31.—The American public wants clean pictures, not censorship, Cecil B. DeMille told an audience of club women, exhibitors and the Greater St. Louis Better Film Council.

"It is the clean pictures which really sell," DeMille said. "The vulgar and indecent ones attract nothing but opposition."

The audience was asked by Fred Wehrenberg, president of M.P.T.O. of St. Louis, Eastern Missouri and Southern Illinois, to cooperate with the M.P.T.O.A. in supplying producers with criticisms of their films.

Quillan-Furness Teamed

Hollywood, Aug. 31.—Eddie Quillan and Betty Furness will be teamed in Radio's "The Kick-Off."

Memphis Public Cold To Approved Film

Memphis, Aug. 31.—Despite the enthusiastic approval accorded "The World Moves On" by the local Better Films Council and special advertising of the picture by Loew's State here, little public response resulted.

Business at most downtown houses, however, continues on the upgrade, with "Dames," "The Affairs of Cellini" and "Down to Their Last Yacht" setting the pace.

Stebbins Is Here for Burial Arrangements

(*Continued from page* 1)

children Gary and Lila. The trio and Mrs. Ned Marin were killed Thursday in an automobile collision 18 miles north of Bakersfield, Cal.

The bodies are being shipped to New York and will arrive here on Monday.

Dillingham Rites Sunday

Funeral services for Charles B. Dillingham, stage producer and former operator of a chain of legitimate houses, who died Thursday night at the Astor, will take place tomorrow afternoon in the Little Church Around the Corner. Cremation will follow at the Fresh Pond Crematory, Maspeth, L. I.

Lower Electric Rate

Akron, Aug. 31.—The "nut" of local theatres will be materially decreased through a sizeable reduction in electric rates resulting from a new franchise with the Ohio Edison Co., which city council has just approved. Rebates of approximately $800,000, paid by consumers over the past 16 months, will be made between now and the end of the year.

Zanuck Readies Four

Hollywood, Aug. 31.—20th Century has four productions in preparation and casting has begun on two others of the company's second group of new season productions.

Ray in "By Your Leave"

Hollywood, Aug. 31.—Charles Ray, big star of the silent picture days, has been given a role by Radio in "By Your Leave."

ITOA Favors Conciliation With Unions

(*Continued from page* 1)

president of the I.A.T.S.E, for a conference on the Local 306-Allied controversy. An effort will be made to have an outside arbitrator named to handle disputes on operators as they arise. By this method, it is figured picketing will be cut to a minimum, if not curtailed entirely.

The committee figures that picketing places a stigma on houses with union difficulties and seriously injures business.

RKO Stays in R. C.; New Leases Pend

(*Continued from page* 1)

new lease negotiations embracing only office space and the Music Hall. The negotiations will be resumed next week, RKO meanwhile continuing occupancy on the basis of the old lease terms. The new leases, however, will be retroactive to Sept. 1.

British Sign Asther, Brook and Beaudine

(*Continued from page* 1)

Beaudine and Nils Asther. Brook will be starred in "The Dictator," a Toplitz production, in which Madeleine Carroll will also have a role. Upon the film's completion he will appear in "The Marquis" for British and Continental.

The Beaudine deal calls for his services in directing "Funny Face" for British International. Asther will play the lead in "Abdul Hammid" for the same company.

Gurney reported he had arrived at terms for John Gilbert with British International for the lead in "Du Barry."

Tariff Deal May Aid U. S. Films in Brazil

(*Continued from page* 1)

the Brazilian government, the state department today offered an opportunity for affected industries to submit their views. Written statements may be filed with the Tariff Commission up to Oct. 15 and oral presentation must be made by Oct. 22.

Without disclosing the identity of articles for which the United States may demand concessions, the Department of State published a lengthy analysis of principal American exports to Brazil which showed that picture sales fell from 18,433,812 feet, worth $418,482, in 1929, to 9,407,755 feet, worth $160,985, in 1933.

Col. Press Book Ready

An effective press book on Columbia's "One Night of Love," starring Grace Moore, was readied for distribution yesterday by George Brown, advertising and publicity director. Three complete campaigns with plenty of selling ideas for the exhibitor to draw upon are contained in the book—a campaign each on advertising, publicity and exploitation.

The Leading Daily Newspaper of the Motion Picture Industry

MOTION PICTURE DAILY

Alert, Intelligent and Faithful Service to the Industry in All Branches

VOL. 36. NO. 54 NEW YORK, TUESDAY, SEPTEMBER 4, 1934 TEN CENTS

Sales Tax in Ohio Is Set; Time in Doubt

Drive on to Convince of Need of Levy

COLUMBUS, O., Sept. 3.—Although passage of a general sales tax appears a foregone conclusion, the remaining question is whether it will eventuate during the November session of the General Assembly.

Carlton S. Dargusch, state tax commissioner, is launching one of the greatest movements ever undertaken in Ohio to awaken public interest to the need of immediate action to prevent bankruptcy and compulsory re-

(*Continued on page 8*)

St. Louis Amuse. Co. Is Key to Price War

ST. LOUIS, Sept. 3.—The St. Louis Amusement Co. now controls the key to the anticipated local price and dual feature war.

During a meeting of all exhibitor

(*Continued on page 8*)

Leff Plans Theatre Increases in Bronx

With nine theatres now in his circuit, Abraham Leff will increase the Bronx units to 11 within the next few weeks.

Having opened the De Luxe recently, Leff plans to bring back to life

(*Continued on page 8*)

Universal Ahead in Production Schedule

HOLLYWOOD, Sept. 3.—Universal is running ahead of schedule on its current program. The company is dropping writers as their assignments are

(*Continued on page 8*)

He Got It

Hollywood, Sept. 3.—There's an unwritten law in Hollywood that a player may buy his wardrobe for half the cost price on completion of the picture.

In the new Eddie Cantor musical, Otto Hoffman plays Mahatma Ghandi. He wanted to buy his cotton loin cloth so the Goldwyn production department charged him two bits.

Appeal Hearing on Zoning Schedule for L. A. Set Back

Because of the proximity of the high Jewish holidays next Monday and Tuesday, Campi's appeal committees are not expected to meet for protests on any clearance and zoning schedules until after Sept. 20.

Exhibitors from Los Angeles, Detroit, Cleveland, Buffalo and Cincinnati are not expected to be away from their homes, going to New York during the Jewish holy days. A majority of exhibitors in the five cities mentioned want their schedules as prepared and later appeal hearings will be set this week.

There are 40 schedules before Campi, many of which are being returned because of infractions of code provisions. New protest hearings in the field will be heard on these. In territories where no zoning plan exists, protests will be heard without limitation as to date.

The Los Angeles plan originally was slated for Sept. 18, but will probably be heard about a week later. Duals are definitely out of the schedule. I. E. Chadwick, representing independent producers, may come east for the hearing. Ben Berinstein, who has been conferring with Campi officials on the schedule, returned to the Coast and will be back for the general open discussion. It is said 90 per cent of the exhibitors in California are for the plan as it now stands.

Campi May Act On Reopening Assents Again

Plans to reopen the code assent deadline for the third time are understood under way.

Campi's legal committee is said to be working on an amendment which will come before the entire body Thursday for approval.

The move to again issue a call for non-signers was made at the insistence of Division Administrator Sol A. Rosenblatt, who is understood to have told Campi no exhibitor should

(*Continued on page 3*)

U. A. May Not Press Suit on Cancellation

United Artists in all probability will not file its suit against Campi, after all.

Since Code Authority handed down a decision granting the Albion, Albion, Ind., the right to cancel one of the distributor's 25 films, U. A. has been considering an action in U. S. District Court for an interpretation of the cancellation provision of the code.

U. A. claims that before it signed

(*Continued on page 3*)

NRA Takes Action In Union Wage Quiz

Questionnaires have been circulated by the operators' fact finding committee recently appointed by Division Administrator Sol A. Rosenblatt to

(*Continued on page 3*)

Controversy On Premiums Still Alive

KANSAS CITY, Sept. 3.—The controversy over premium eliminations here is still a live one, despite determination by E. S. Young, one of the opposing exhibitors who demanded a recount of the ballots, that the ban was voted in by a sufficient number of theatres.

The newest development is the question of constitutionality of the method by which the vote was taken. While the code makes no provision

(*Continued on page 3*)

NRA Denies Link to ASCAP Federal Suit

WASHINGTON, Sept. 3.—The NRA was not the inspiration back of the action taken by the Government designed to break up what it calls a music monopoly, it was stated here over the week-end by NRA officials in reply to reports that such was the case.

Department of Justice officials take full credit for responsibility for instituting the anti-trust action in Federal court at New York which named the

(*Continued on page 3*)

Salary Increase for Rosenblatt Reported

WASHINGTON, Sept. 3.—Following Hugh S. Johnson's increase in salary of $9,000, reports here have it that all division administrators under Johnson

(*Continued on page 3*)

Loew's, RKO Seen Ending Local Fracas

Fox to RKO if Latter Drops New Units

Imminent settlement of the Loew-RKO theatre and film buying tussle in Greater New York looms. Meetings to this end are being held daily between executives of Loew's, RKO and Fox.

If, and when, the efforts are successful, Fox product will go back to RKO and the contract with Loew's will be amicably settled, it is understood. Settlement, it is said, is contingent on RKO withdrawing from the east side and uptown Manhattan section where recent RKO acquisitions are said to be threatening operation of Loew houses.

In its drive for theatres, RKO add-

(*Continued on page 3*)

Music Hall Has 81 Films to Draw On

Having completed its film buys for next season, the Music Hall now has a minimum of 71 and a maximum of 81 features bought from five different

(*Continued on page 3*)

Loew, Skouras Named In Ushers' Complaint

Two complaints charging discrimination in the dismissal of union ushers are scheduled for hearing today before the Regional Labor Board. The

(*Continued on page 8*)

Hold Stebbins Funeral Services in Hollywood

Instead of the funeral of his wife and two children being held in New York as originally contemplated, Arthur Stebbins altered the plans and

(*Continued on page 8*)

L. A. Scales Up

Los Angeles, Sept. 3.—Independent houses here, following the example of Fox West Coast, which last week announced an increase in admissions of 10 and 15 cents, are raising scales 5 and 10 cents on a graduated basis. This means a passage of two weeks before the second advancement.

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Fabian Quits as Fox Met. Receiver's Aid

Simon Fabian has resigned as agent for Irving Trust Co. after two and a half years working on the reorganization of Fox Metropolitan Playhouses. Fabian quit so that he could devote more time to his own theatre interests.

According to some reports, Fabian will not be replaced. Others have it that a former prominent theatre executive will get the job.

Griffiths Gets Warners

R. E. Griffiths and Horace Falls of the Griffiths circuit in Oklahoma, New Mexico, Texas and Colorado have closed with Warners for the company's product in 82 theatres.

Working on the deal for Warners were Gradwell Sears, Carl Lesserman and Fred Jack.

Color Campaign Started

Color advertising is being used by M-G-M to exploit "Chained" in dailies located in key spots. This is the first picture to come under the new policy whereby all of the company's more important films will be advertised in color in newspapers.

"Don Juan" Opening Set

London, Sept. 3.—London Films' "The Private Life of Don Juan," starring Douglas Fairbanks, opens here Sept. 5 at the recently renovated Pavilion Theatre.

Insiders' Outlook

SO complex is the Paramount situation and so varied are the interests that authoritative spokesmen can't always back up their points. This is by way of explaining stories which appeared on the other side of this page a few days back. They referred to a reorganization virtually assured by October 15. And so it looked at the time. Now the bank suit and shenanigans having to do with it have entered the picture to disturb it and to make the original date nothing more than a fond, but not too substantial, hope. Adolph Zukor's vision, the one wherein he saw Hollywood as the hub and the nub of the entire industry, didn't sit any too well with some of the company's financial people, by the way. They want the administration here, close to their bosoms. . . .

▼

We like and, therefore, endorse the comment of H. E. Jameyson, Wichita district manager for Fox Midwest, who said recently that the theatre manager is *now* the goat for parental neglect and indifference and that children often see the wrong kind of pictures. There's one additional comment on that. Why only now? It's always been that way. The film industry's job is to make entertainment. Parent's job is to raise their offspring. More of them ought to do something about it. . . .

▼

Reports, probably inspired, that the Loew circuit has overbought for the new season are denied by circuit executives. They say, in fact, the reverse is the truth of the matter and that, according to the present status of their purchases, the chain is shy enough product to meet all requirements. For theatres requiring 156 pictures a year, Loew maintains it has only 155 lined up and is not quite certain about reaching the full quota. For theatres requiring 260, the circuit has available, so it says, 245. Big question here involved is: Will distributors deliver all they have promised? Few do, of course. . . .

▼

Before October days arrive, the expectancy is a nationally known organization will make some headlines with a resolution against block booking and double bills. Not tied in with Allied in any manner, the name of this group is being held in great secrecy. So impressed were Allied leaders with John Benas' analysis of new product at the Atlantic City convention, Upper New York, Baltimore and New England Allied men have invited him to talk before their groups. Pressure of business compels Benas to reject the requests. . . .

▼

It may be of interest to learn that the Music Hall's deal for those 22 Fox pictures next season varies slightly from last season's. The theatre now has the right to examine all pictures before booking. Last year, it bought blind. There's a reason and consequently a story behind this. On the old schedule, The Roxy, which picked up where the Music Hall didn't want to tread, booked a "Dunn-Trevor." It proved to be "Baby, Take a Bow" with Shirley Temple. It was also the Roxy which took what then was a gamble on "Handy Andy." It ran three weeks and annoyed the Music Hall no end. . . .

▼

Radio City, grand development that it is, may become grander one of these days. Inside on what the Rockefellers think about when they don't think about oil, has it the project may be extended to 42nd St. . . . Lee Ochs' deal to take over distribution for Radio in Spain has fallen through and with it Lee's dreams of castles in that country. . . . William Randolph Hearst is understood to have issued an order to all of his managing editors to lay off publishing jokes, actual or fanciful, on Sam Goldwyn. The publisher, as his reason, states he regards Goldwyn as the model executive of the film industry. . . .

▼

Helen Hays gets starring rating at M-G-M, but the best she could do in "Crime Without Passion" was a flash in a traveling shot, minus all screen credit. It was a gag worked out by Ben Hecht and Charlie MacArthur, the latter being Miss Hayes' husband and so having privileges. . . . It appears this eastern-made production has aroused much interest on the coast. Irving Thalberg saw it and is reported to have guessed its production cost wrong by $100,000. He said about $275,000. . . .

KANN

Columbia Up 1/4 on Big Board

	High	Low	Close	Net Change	Sales
Columbia Pictures, vtc.	29½	29½	29½	+ ¼	200
Fox Film "A"	11⅝	11⅝	11⅝	.....	200
Paramount Publix, cts.	3⅞	3¾	3⅞	— ⅛	300
Pathe Exchange	1⅛	1	1⅛	.....	1,000
Pathe Exchange "A"	13¼	13	13	— ¼	700
RKO	2⅜	2⅜	2⅜	+ ⅛	100
Warner Bros.	4½	4⅞	4½	+ ¼	300

Trans Lux Up 3/8 on Curb

	High	Low	Close	Net Change	Sales
Trans Lux	1⅞	1⅞	1⅞	+ ⅜	100

Pathe Bonds Off One

	High	Low	Close	Net Change	Sales
Paramount F. L. 6s '47	47⅞	47⅞	47⅞	+1⅝	3
Paramount Publix 5½s '50	48	48	48	+1	1
Pathe 7s '37 ww	99	99	99	—1	1
Warner Bros. 6s '39 wd	53	53	53	.....	11

Cleveland Union Ups Scale 10 Per Cent

Cleveland, Sept. 3.—Operators' scale at local subsequent-run houses went up 10 per cent on September 1.

The rate for first-run subsequents now is $117.90 as against $106.11 last year. It is estimated this boost will cost the subsequent-run theatre owners of Greater Cleveland a minimum of $75,000.

Reason for last year's lower scale was the fact the local operators' union signed a wage scale agreement with Cleveland M. P. Exhibitors' Ass'n. on August 24, 1933, which was held binding to both parties, although the code ruled that the scale in force on August 23, 1933, shall be the prevailing scale. With the expiration of the local 1933 agreement, the scale went up to the rate prevailing September 23, 1933.

Milwaukee 1st Runs Reduce Admissions

Milwaukee, Sept. 3.—Admissions have been lowered in three first-run houses. Wisconsin Amusement Enterprises started the reductions with a price policy of 35 cents until 6 P. M. and 40 cents until closing every day in the week for the Wisconsin, and 15 cents to 1 P. M., 25 to 6 and 35 to closing on Mondays to Fridays inclusive for its Alhambra, with Saturday and Sunday admissions for the latter house 25 cents to 6 and 35 cents to closing.

Warners have followed suit with a policy of 25 cents to 1:30 P. M. every day; 30 cents daily, 1:30 to 6 P. M., Sundays and holidays, 1:30 to 5 P. M., and 40 cents to 6 P. M. to closing, Sundays 5 P. M. to closing.

Fire Destroys Theatre

Detroit, Sept. 3.—The Wolverine, a six hundred seat neighborhood house has been destroyed by fire. A cigarette stub carelessly thrown in the film waste can was responsible for the blaze. Edward Pascal, owner and operator of the house said that he would rebuild at once.

Ross Film for Columbia

Nat Ross has closed with Columbia for the distribution of "Atlantic Crossing." The film will be screened at 12:30 today on the Stadtendam.

Controversy On Premiums Still Alive

(*Continued from page* 1)

for the method, Young has been advised by Jacob Price, New York premium distributor and chairman of the Motion Picture Premium Ass'n, that the vote must be taken in open meeting after proper notice sent exhibitors. Otherwise, Price said, the vote is illegal and "will be thrown out." The local ballot was by petition circulated by Jay Means, I.T.O. president and grievance board member, and signed by exhibitors favoring the ban, which is effective Oct. 27.

Price informed Young a vote taken under similar circumstances in Saginaw, Mich., was declared illegal and premiums were not abolished. Young intends to press the matter on receipt of more information.

On checking the petition, Young finds 56 of 71 independents in the prescribed premium zone voted for the ban, more than the required number. Thirteen of 15 affiliated houses also signed the petition. However, he claims four theatres affixing their signatures are not continuously operated, as the code requires, and one, the Regal, in Kansas City, Kan., is unknown. Young asserts disqualified theatres voting to abolish premiums were the Nu Era, Kansas City, houses in Edgerton and Tonganoxie, Kan., and the army post theatre at Ft. Leavenworth, Kan.

U. A. May Not Press Suit on Cancellation

(*Continued from page* 1)

the code an agreement was reached with Division Administrator Sol A. Rosenblatt whereby the company's pictures, because of individual sales contracts, would not come under the 10 per cent scope.

However, Rosenblatt denies making a statement of this kind, adding that if U. A. was permitted to withhold cancellations, every company would seek the same privileges.

Final decision by U. A. will be reached this week when the board of directors meets. Several sessions have been held between sales heads and legal minds of the company and it has been decided to leave the issue up to the board. Despite presence of Joseph M. Schenck on the Coast, a quorum will be on hand.

Advance indications are that U. A. will live up to Campi's order without court protest.

NRA Takes Action In Union Wage Quiz

(*Continued from page* 1)

investigate local union conditions for setting up a basic wage scale.

Many questionnaires have been returned to the committee and a meeting of exhibitor leaders is slated this week prior to a general pow-wow with I.A.T.S.E. and Local 306 officials.

It is understood exhibitor leaders will demand the scale in effect before the advent of sound.

Hale Gets Radio Termer

Hollywood, Sept. 3.—Radio has signed Alan Hale to a long termer.

NRA Denies Link to ASCAP Federal Suit

(*Continued from page* 1)

American Society of Composers, Authors and Publishers, Music Publishers' Protective Ass'n, Music Dealers' Service, Inc., and member units.

Sol Rosenblatt, NRA division administrator, when asked as to the reports, declared that the NRA had nothing to say in the matter and that it was all in the hands of the Department of Justice.

The latter, on its part, asserted that the Government has been watching the activities of the organizations for 12 years and had come to the conclusion that, as charged, there has been a violation of the anti-trust laws justifying a permanent injunction prohibiting any agreements covering the public performance of music unless the field is "open to all owners of copyrighted musical compositions upon an identical and equal basis."

Members of the I. T. O. A. already have pledged $2,000 for the special emergency committee fund, but are understood not going to contribute now that the Government has stepped into the fracas.

George Z. Medalie, it is reported, was supposed to have been hired by the emergency exhibitor committee with the understanding that he was to get $10,000 as an initial retainer. Whether this money will be paid has not yet been decided.

The T. O. C. C. has definitely withdrawn from the exhibitor group and the I. T. O. A., represented by William C. Weisman at the committee hearing last week, also will back out, it is said.

Music Hall Has 81 Films to Draw On

(*Continued from page* 1)

companies. Included in the deals is a quartet from Gaumont British. The breakdown is as follows:

Fox	25
RKO	20-30
Universal	10
Columbia	12
G-B	4

One report current is that a Broadway house may file an overbuying complaint against RKO before the local grievance boards. It is claimed that the minimum figure is 20 above the 52-week requirement, let alone the higher number.

End Warner Subsidiary

Dover, Sept. 3.—Warner Bros., Prod. Corp., a Delaware corporation and subsidiary of Warner Bros. Picture, Inc., was dissolved by the State Department. A voluntary certificate of dissolution was issued by Charles E. Grantland, Secretary of State, following the filing of the consent of all the stockholders.

Warner home office officials could not be reached over the week-end for comment on the dissolution.

L. A. Hearings Delayed

Los Angeles, Sept. 3.—The local clearance board has moved complaint hearings forward from Wednesday to Friday pending the filing of new complaints.

Campi May Act On Reopening Assents Again

(*Continued from page* 1)

be out of the code and there should be no restrictions as to signing.

If the compliance date is reopened it will be for an indefinite period. It is figured that only 364 new signatures were corraled when the Aug. 15 or second deadline expired. About 3,000 were expected.

Rosenblatt will have to approve the code amendment finally, but having suggested it there is no doubt there will be little delay. Every additional signature will mean a proportionate decrease in assessments for exhibitors. It is hoped that every exhibitor will come in by the end of the first year of the code.

NRA Awaits Accord On Campi Payments

Washington, Sept. 3.—Until producers and distributors work out a formula for assessments, the NRA will not approve any plan for raising $180,000 from this source, it is said.

Although producers and distributors, in protesting recently on the original assessment plan, stated that gross business should be the common denominator for levies, it is learned they will not disclose business figures publicly. The companies are willing to permit secret audits, but no publication of annual figures.

The finance committee of Campi did not take up an assessment plan at the regular meeting last week, but is expected to report on a new method of taxation by Thursday, when Code Authority is slated to convene. Another session may be held by the finance body between now and Thursday.

The new plan for raising funds may provide for a levy on each foot of negative film coming out of the studios and positive prints being handled by exchanges,

Salary Increase for Rosenblatt Reported

(*Continued from page* 1)

will be given raises by President Roosevelt. Division Administrator Sol A. Rosenblatt, who is now getting $6,800 annually, will be increased to $10,000, according to reports.

Rosenblatt has 25 codes under his supervision. It is said the salary raises will be announced by the President at any moment.

Roxy May Close With G-B for 16 Pictures

Gaumont-British's deal with the Roxy for 16 pictures is set to be completed this week, following conferences between Mark Ostrer and Jefferey Bernerd of G-B and Howard S. Cullman of the theatre.

The deal does not include "Jew Suss," which is one of four already sold to the Music Hall.

Negotiations for acquisition of the theatre by G-B are held in abeyance.

Loew's, RKO Seen Ending Local Fracas

(*Continued from page* 1)

ed 11 to its roster. Four of these, the Lee Ochs houses, are in the neighborhood of Loew's 175th St. theatre; the Utica, Brooklyn; Embassy, Port Chester, and five others.

Efforts are being made, it is understood, to have RKO turn over the Utica to Frisch & Rinzler and the Embassy, Port Chester, to Skouras, who operates the Capitol in that city. RKO also would have to dispose of the Ochs and other houses, according to plans reported.

Both RKO and Loew's have curtailed drives for new units. While RKO added 11, Loew's only took one, the Gem, Far Rockaway, L. I. This house may be turned over to RKO, but so far nothing is definite. The whole plan may be kicked over and then again it may go through.

So far Loew's has only played "The World Moves On" and on Sept. 14 is scheduled to show "Cat's Paw" in its de luxe units, after which the Harold Lloyd picture will be shown in 59 other Loew houses.

Despite the Loew deal, Fox has sold 25 pictures to the Music Hall and the entire lineup to the Albee, Brooklyn.

See Fox Netting $367,000

According to some reports, Fox will net about $367,000 on the Loew deal. Last year, it is reported, Fox received in the neighborhood of about $500,000 from RKO for its 30 houses, the Music Hall and the Albee.

In the deal with Fox, Loew's had to make a special arrangement with Frisch & Rinzler for a few of its Brooklyn theatres. In competitive houses where Randforce could not get M-G-M product, an exchange deal was made with Loew's for 20 Fox films. How this agreement will be settled if RKO gets the Fox lineup has yet to be worked out, it is said.

Fox's deal with the Music Hall and the Albee is understood to be the best made in this territory, in so far as percentages and guarantees are concerned. Whether Fox product will go into the Palace also depends on whether Walter Reade will release the company from its Mayfair contract. Some reports have it that no deal has actually been signed and the switch would be automatic provided all other differences were ironed out between Loew's and RKO.

Although unofficial reports had it RKO would file overbuying charges against Loew's in the local area, a checkup reveals that Loew's has not enough films bought yet. If the circuit agrees to give up the Fox product, it may have to call upon independents for more than 50 pictures for its two and three-change a week houses.

Mrs. Burt in New Post

St. Louis, Sept. 3.—Mrs. Arretus F. Burt of this city, chairman of motion pictures for the Missouri Federation of Women's Clubs, has been appointed chairman of motion pictures for the National Council of Federated Church Women, affiliated with the Federal Council of Churches.

THE LION OF ENGLAND

When Two
get to

Hello America!

Such excitement when we brought to your shores the picture that is the sensation of the day in Europe "THE WANDERING JEW." We thank all the distributing companies for their enthusiastic interest, for their high praise. Leo, the M-G-M Lion, has won the race to present this new dramatic thunderbolt to American audiences. And we're honored that our triumphant picture is to enjoy the sponsorship and showmanship of the roaring Lion. That speaks a house-full for the picture!

Sincerely yours,

TWICKENHAM STUDIOS
ENGLAND

Lions gether!

THE AMERICAN LION
Leo of M-G-M

Hello Twickenham Studios!

We're still breathless from the wonders of your amazing entertainment "THE WANDERING JEW." It's a privilege and a joy to bring its thrills and magnificence to America. We're calling it "The successor to 'Ben-Hur'" because it's the BIGGEST PICTURE to flash on the screen since we wowed them with the Chariot Race! Very seldom that M-G-M goes outside its own Studio for a picture, but we'll confess this is worth making an exception to the rule. What a picture! No wonder it's the smash hit of Europe! Watch for miracles when the screen shouts: "Metro-Goldwyn-Mayer presents 'THE WANDERING JEW'."

Sincerely yours,

LEO of M-G-M

"AUTHOR, TITLE AND INDICATE SHOWMA

"It's an adaptation of the Damon Runyon story, 'Ransom $1,000,000,' which recently ran serially in Cosmopolitan Magazine," continues M. P. Herald. "The film is hectic action-packed comedy smacking of typical Runyon satire . . . The story gets off to a rip-roaring start . . . The usual satirical twist finds romance, comedy and gun-fire blending into an hilarious whole."

•

with

PHILLIPS HOLMES
EDWARD ARNOLD
MARY CARLISLE
Andy Devine – Wini Shaw

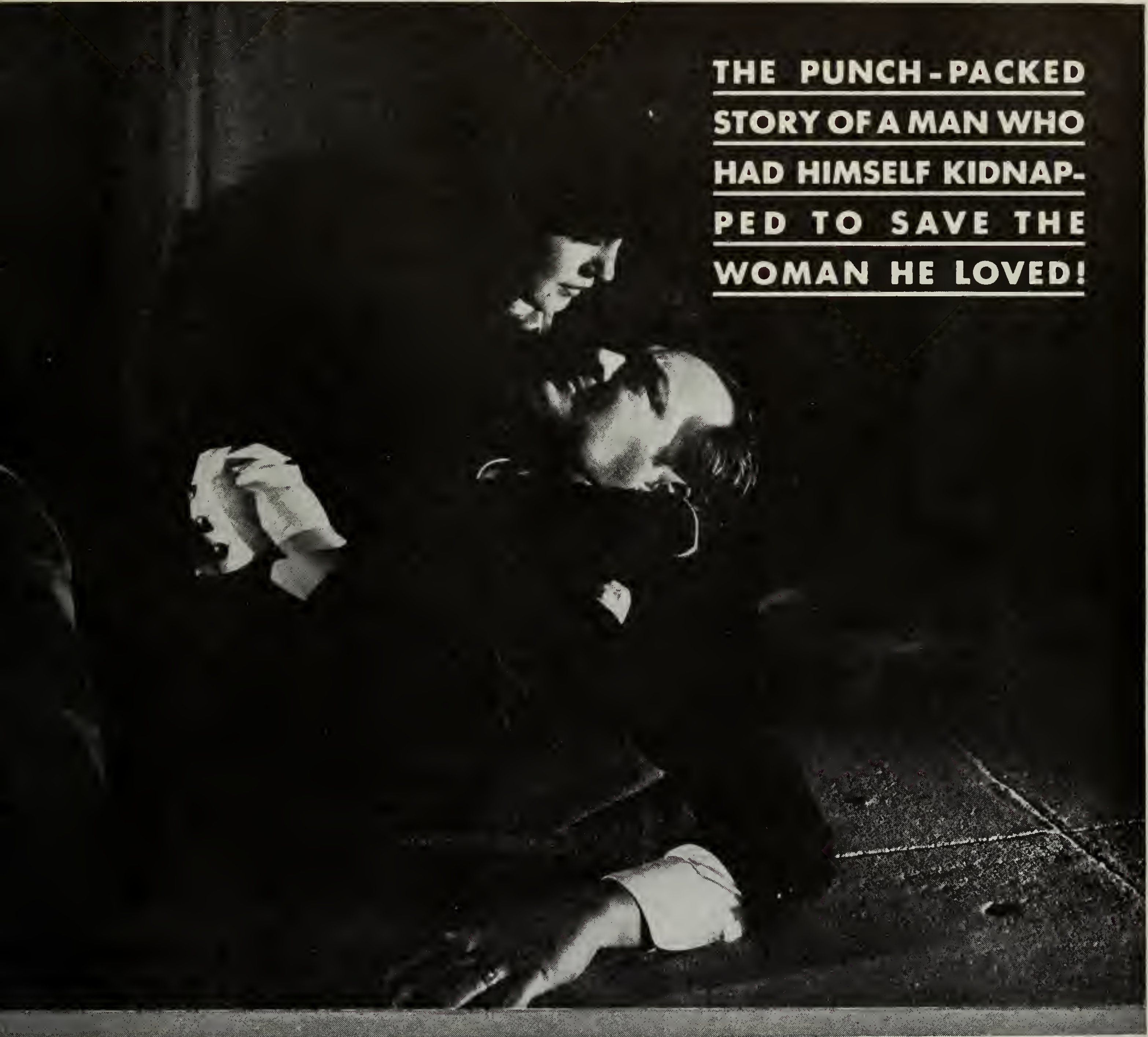
Produced by Carl Laemmle, Jr. Directed by Murray Roth. Presented by Carl Laemmle.

A UNIVERSAL PICTURE

DAMON RUNYON'S

MILLION DOL

STORY
N'S VALUES" — *says Motion Picture Herald*



THE PUNCH-PACKED STORY OF A MAN WHO HAD HIMSELF KIDNAPPED TO SAVE THE WOMAN HE LOVED!

LAR RANSOM

INSTALL
RCA VICTOR
PHOTOPHONE

OFFERING YOU:

- A Sound Box Office Attraction
- Complete Ownership
- A Self-Liquidating Investment

Photophone Division
RCA VICTOR COMPANY, Inc.
Camden, N. J.
A Radio Corporation of America Subsidiary

HIGH FIDELITY

MOTION PICTURE DAILY'S HOLLYWOOD PREVIEW

"The Merry Widow"

(*M-G-M*)

Hollywood, Sept. 3.—Box-office forces hard to resist conspire via the personalities of Maurice Chevalier, Jeanette MacDonald, Ernest Lubitsch, the title and Franz Lehar's music to mould gay, laughable, opera-bouffe entertainment of high order.

Embroidered with Lubitschian tid-bits and regaling the audience with hearty laughter, the famous stage play, once produced as a silent film by M-G-M, is romantic, filigreed with joie de vivre and all lacy with charm.

Its plot, laid in a mythical land, takes Prince Danilo (Chevalier), ladies' man of the court, to Paris with definite instructions to meet and win Sonia, the recluse widow who owns fifty-two per cent of the country, and thereby do his patriotic duty. To Maxim's, where all the girls know Chevalier too well, comes Miss MacDonald, incognito as Fifi, and meets him. Their romantic meeting, their parting, the embassy ball, his court trial and their reconciliation in prison are highlights, delightfully mooded and presented in Lubitsch's inimitable manner under the aegis of Irving Thalberg.

Subtlest shot is Fifi and Danilo sitting at Maxim's with Danilo stealing her slipper.

The cast, exceptionally well chosen, includes Edward Everett Horton, Una Merkel, George Barbier, Minna Gombell, Sterling Holloway, Donald Meek, Herman Bing and Barbara Barondess.

Played in comic opera style, high hilarity contrasts with racy and tender romance. The Merry Widow Waltz glides tunefully through the needlepoint production with its lavish sets in keeping with the haunting Maxim's melodies.

The screenplay by Ernest Vajda and Samuel Raphaelson is creative craftsmanship. Ollie Marsh photographed splendidly. Herbert Stothart's musical adaptation heightens the effect. Dick Rodgers and Larry Hart contribute a new number.

"The Merry Widow" is a merry, romantic production and seems destined to be merry box-office. Previewed without production code seal. Running time, 110 minutes.

"Wake Up and Dream"

(*Universal*)

Hollywood, Sept. 3.—This musical show has all the assets of class A program production.

The story deals with Russ Columbo, June Knight and Roger Pryor, three small vaudevillians, kicked from one spell of bad breaks to another and finally winding up at the top of the heap in Hollywood. The theme, while not new, has many hilarious comedy situations contributed by John Meehan, Jr., author of the story and screenplay. The dialogue kept the audience in good-humored laughter.

Columbo, less self-conscious than heretofore, should go well with the feminine contingent for, if his profile doesn't get 'em, his crooning will. The cast also includes Catherine Doucet as a mind-reader, Andy Devine as her body-guard and Henry Armetta, whose antics nearly steal the show. The picture is neatly directed by Kurt Neuman. The song, "Too Beautiful for Words," crooned by Columbo, is particularly catchy, with the others also good. Charley Stumar photographed well.

The picture has general appeal for family and neighborhoods especially. Running time, 67 minutes.

Loew, Skouras Named In Ushers' Complaint

(*Continued from page 1*)

complaints were brought against Loew's and Skouras by ushers' Local 95, B. S. E. I. U.

Harry Mitchell, business manager of the local, charges that William Costa was discharged by Loew's Prospect two weeks ago because he was a member of the union and that Arthur Nichols was laid off by the Skouras' Roosevelt about the same time for the same reason.

Loew's and Skouras' officials could not be reached over the week-end for comment on the charges of Local 95, which is the successor to Local 118, dissolved early this summer.

Hold Stebbins Funeral Services in Hollywood

(*Continued from page 1*)

the services were held in Hollywood yesterday.

Stebbins at first had planned to fly in from the Coast for services here. Regina Lacks of his local office flew to the Coast Sunday to attend the funeral.

New Plans for Filmarte

San Francisco, Sept. 3.—Ralph Pincus may turn the Filmarte into a beer, dance and entertainment spot. He is dickering with United Artists for features and shorts without a repeat on any program.

Sales Tax in Ohio Is Set; Time in Doubt

(*Continued from page 1*)

pudiation of public debts by the state government.

Dr. Beverly O. Skinner, state director of education, in stressing the necessity of a sales tax, points out that Ohio's educational system is on the brink of a disaster unparalleled in history. Schools in many districts will be unable to reopen in September because of lack of funds, while others will be unable to operate after Jan. 1, he asserts.

The stringency of the situation has forced many solons, heretofore opposed to the measure, to change their attitude, while commercial interests protesting the plan on previous occasions, are said to have withdrawn their objections.

The I. T. O. of Ohio is putting forth every effort to facilitate passage of the tax, and is strenuously rallying exhibitors to the cause.

"Passage of the sales tax is our only salvation in having the present admission tax repealed," is the declaration of P. J. Wood, secretary of the exhibitor unit, in a message to film men.

St. Louis Amuse. Co. Is Key to Price War

(*Continued from page 1*)

leaders here, the decision of the men was that they would not sign any agreement to slice admissions or drop duals until St. Louis Amusement signed first. If St. Louis Amusement agrees to go along, the exhibitors present promised to get 90 per cent of all theatres to join.

Some exhibitors are now skeptical whether St. Louis Amusement will go along. As soon as John Cunliff, president, signs an agreement another meeting will be held for the other signatures.

Meanwhile F. & M. are going ahead with plans to reduce admissions Friday at the Ambassador, Missouri and Fox.

Universal Ahead in Production Schedule

(*Continued from page 1*)

completed, with the result that the writing staff is the smallest in six months, now numbering only six contract men.

Although production is slowing down until Oct. 1, the studio reports that the writers' department is the only one feeling the brunt of the letdown.

Leff Plans Theatre Increases in Bronx

(*Continued from page 1*)

the Freeman, which was dropped by Loew's and has been closed the entire summer. The Freeman opens Friday with Louis Gans as manager. One of the two new units being negotiated for is the Crescent, now being operated by Haring & Blumenthal.

"The Leading Daily Newspaper of the Motion Picture Industry"

MOTION PICTURE DAILY

Alert, Intelligent and Faithful Service to the Industry in All Branches

VOL. 36. NO. 55 NEW YORK, WEDNESDAY, SEPTEMBER 5, 1934 TEN CENTS

B'way Takes Soar Sharply On Week-End

Unsettled Weather Boon To All Big Houses

Cool, unsettled weather resulted in smashing week-end grosses at local box-offices. The Labor Day rain proved a big help, jamming all of Broadway's picture houses.

The Radio City Music Hall did $71,000 on "The Fountain" for Friday, Saturday, Sunday and Monday, with the estimate for the week in the neighborhood of $100,000. In the same four-day period the Capitol took in $46,095 on "Chained," which is to be held for a second week, while the

(*Continued on page* 12)

U. S. Buying More Belgian Raw Stock

Washington, Sept. 4.—The United States is becoming a heavy buyer of Belgian raw stock, it was disclosed today by the State Department in announcing that negotiation of a reciprocal trade agreement with that country is to be undertaken. Purchases

(*Continued on page* 11)

Wanger Deal Calls For 6 Para. Films

Walter Wanger's six pictures for Paramount release will be made at Metropolitan Studios, Hollywood, George Schaefer, Paramount general manager, said yesterday in verifying the Wanger deal.

Wanger, now en route to Hollywood, will begin work at once on "The President Vanishes." The second will be "Peacock Feathers," starring Ann Harding, and to be produced in Technicolor.

Production Slightly Off; 33 Underway

Hollywood, Sept. 4.—Production activity dropped off slightly last week in comparison to the past month's average, with 33 features before the cameras, 17 preparing and slated for

(*Continued on page* 12)

Bank Asks Removal Of Cincy Receiver

Cincinnati, Sept. 4.—Motion has been filed in U. S. District Court here by the Provident Bank & Trust Co.,

(*Continued on page* 12)

Retention of Federal Ticket Tax to Be Asked in Congress

Washington, Sept. 4.—Continuation of the admission tax on at least its present level will be asked of Congress in January, it was predicted today in Washington as Administration officials began consideration of new revenue legislation.

With this and a number of other emergency taxes due to be automatically repealed next July, the Treasury has begun a study of the funds which will be needed, the general belief being that a measure carrying at least $500,000,000 will be sent to Congress at the opening of the session.

A number of the temporary taxes will be continued, it is certain, with the admission levy among them.

Some consideration is being given a general sales tax, but opposition to such a levy is so strong as to make it probable that no serious effort will be made along this line.

Exhibitors to Press Action On Music Tax

Exhibitors will procceed with their court fight against the American Society of Composers, Authors & Publishers, despite the anti-trust suit filed by the government last week against ASCAP and other music licensing groups, Walter Vincent, chairman of the national exhibitors' emergency committee, said yesterday.

A meeting of the emergency committee is scheduled for today at the

(*Continued on page* 11)

Checking Copyrights In ASCAP Situation

Philadelphia, Sept. 4.—Exhibitors here are understood conferring with legal lights in Washington on the copyright laws in connection with a planned fight against the ASCAP.

George P. Aarons of the M.P.T.O. of Eastern Pennsylvania, is corresponding with lawyers in Washington on the music situation. However, until the local unit is convinced it has an opening whereby it can wage a fight against ASCAP, it will not move legally.

Kann Injured; Wife Dies in An Auto Crash

Maurice Kann, editor of Motion Picture Daily, sustained fractures of three ribs and Mrs. Kann was fatally injured early yesterday morning in an automobile accident at New Haven. Mrs. Kann passed away several hours later in the New Haven General Hospital. Her death was due to internal injuries.

At the time of the accident Mr. and Mrs. Kann, Harry Goldberg of

(*Continued on page* 12)

Skouras, Randforce To Take Salary Cut

Skouras and Randforce have offered to accept a 50 per cent salary reduction as operators of Fox Metropolitan Playhouses following the reoganization of the circuit, it was learned yesterday.

The aggregate salaries of the Fox Met operators, Spyros, Charles and George Skouras, Samuel Rinzler and Louis Frisch, are now $119,200. It is understood that their offer to reorganization factors would reduce this

(*Continued on page* 12)

Majors Select Group to Study Clearance Problem

Executive sales heads of 11 companies yesterday were named by Campi as a special committee to work with George J. Schaefer, chairman, in the drafting of basic principles for clearance and zoning schedules.

A meeting of the sales officials will be held tonight at 6 P. M. at the Motion Picture Club where plans will be drawn for assistance of local boards in redrafting of clearance and zoning

(*Continued on page* 11)

NRA's Future Coming Up At Session Here

All Code Authorities to Gather Sept. 14

The future of the NRA will be detailed by Administrator Hugh S. Johnson at a session of Code Authorities for all industries at Carnegie Hall on Sept. 14.

Secretaries of all code authorities met yesterday at the Advertising Club where Grover Whalen informed them of the general meeting.

Enforcement of codes also will highlight the session. Johnson is expected to make an official announcement at the meeting of the future of codes which expire June 15, 1935.

All division administrators will attend, including Sol A. Rosenblatt for the film, theatrical and radio codes. Alternates for authority members also will be on hand.

John C. Flinn, secretary for the film code, is handling all arrangements for the picture industry. About 20 film executives will represent the industry at the conclave.

Frisco's 2nd Runs See Code Victory

San Francisco, Sept. 4.—The long awaited code board clearance decision here was a firecracker that failed to go off. In essence it is a victory for the second runs, with the reduction of clearance from 56 to 49 days, but in view of the trend during the past few

(*Continued on page* 11)

Labor Board Clears Loew's and Skouras

The Regional Labor Board yesterday absolved Loew's of charges of discrimination in the discharge of two union ushers and reserved decision on a similar charge brought against Skouras by Local 95, B. S. E. I. U.

The union had charged that William Costa was discharged from

(*Continued on page* 11)

Criterion May Be Majestic B'way Spot

The Criterion will be Majestic's Broadway show window, provided negotiations between John Goring, operator of the house, and Majestic sales heads materialize.

A deal is practically closed for the

(*Continued on page* 12)

MOTION PICTURE DAILY

(Registered U. S. Patent Office)

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MAURICE KANN
Editor
JAMES A. CRON
Advertising Manager

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Erpi Probe to Be In Phone Inquiry

WASHINGTON, Sept. 4.—An investigation of Erpi will be included in the inquiry of the Federal Communications Commission into the activities and operations of the A. T. & T., it was made known today by officials of the Commission.

Study of the film activities of the telephone company, however, will not come for some time. The investigation is just starting. The commission has not yet completed the organization of its personnel and the first phase of the inquiry will concern the rates and charges of the company.

Arthur to St. Louis

Harry Arthur of F. & M. left last night for St. Louis for conferences with Harry Koplar on the operation of the Ambassador, Missouri and Fox. He is expected back the end of the week.

Roach Due Here Today

Hal Roach is scheduled to arrive at the Ambassador here from the coast this afternoon. Home office conferences are bringing him east.

Auer Starts Monday

John H. Auer starts work Monday on "The Crime of Dr. Crespi" at the Biograph studios.

Hardwick Takes on Ontario Censor Job

TORONTO, Sept. 4.—Formal announcement has been made of the appointment of J. B. Hardwick as chairman of the Ontario censors in succession to Major J. C. Boylen, who had held the post for more than 10 years—until the recent change in the Ontario Provincial Government. Hardwick is one of the two remaining members of the original board of six, four having been "dismissed" in the economy wave of the new premier, Mitchell Hepburn.

The fourth to resign was Mrs. Eva Moran, who has been succeeded by O. J. Silverthorne of the Village of Scotland in Norfolk County. Silverthorne is unknown to the Canadian film trade.

Metzgers, Shapiros Hurt

Lou and Mrs. Metzger and Jack and Mrs. Shapiro were injured over the week-end in a train wreck near Peekskill, N. Y. The party was en route to Cape Vincent, N. Y.

After undergoing a plastic operation at Lenox Hill Hospital, Mrs. Metzger returned to her suite at the Essex House where she is recuperating. Metzger and the Shapiros also are on the mend.

Indicted in Fox Plot

Maurice Monnier, chauffeur, of Hewlett, L. I., was indicted yesterday by the Brooklyn Federal Grand Jury as result of an alleged attempt to obtain $50,000 by threatening to kidnap a member of the family of William Fox. Monnier was arrested Aug. 23 after serving a sentence in the Nassau County Jail for alleged assault on a gatekeeper at the Fox estate.

Grant Shot by Thieves

Len Grant, manager of the RKO Flushing, was shot in the back early yesterday morning when thieves held him up as he was about to leave the theatre. Grant refused to open the safe at the command of the robbers, who seriously wounded the manager. He is in a Flushing hospital.

Para., Seattle, Robbed

SEATTLE, Sept. 4.—The Paramount here lost $2,200 to holdup men at closing time when the assistant manager and cashier were trailed from the box-office to the theatre office. The bandits escaped in the crowd outside the house.

Shiffman, Bolognino Resign from I.T.O.A.

Harry Shiffman and Laurence Bolognino, the former of the Brill circuit and the latter of Trio-Consolidated, have resigned from the I. T. O. A.

Shiffman withdrew his 10 houses from the organization when he became a partner with Publix in the operation of the Paramount, Staten Island, and Bolognino pulled 12 houses because, he says, additional city taxes have made it impossible for him to continue to pay dues any longer.

To Fete Miss Moore

A reception will be held for Grace Moore, who got into town yesterday, in the studio atop the Music Hall tomorrow when "One Night of Love," in which the singer is starred, opens at the theatre. W. G. Van Schmus, managing director of the theatre, will be host. Among those expected to be on hand are:

Ex-Governor Alfred E. Smith, Mayor LaGuardia, Lawrence Tibbett, George Jean Nathan, Morris Gest, Owen D. Young, David Sarnoff, Max Gordon, Hassard Short, M. H. Aylesworth, Prof. Raymond Moley, A. C. Blumenthal, Jack Cohn, Nathan Burkan, Rear Admiral Yates Stirling Jr., and John D. Rockefeller, Jr.

Brown Resigns Col. Post

George Brown, head of advertising and publicity for Columbia for the past three years, resigned yesterday to take effect early in October. No successor has been named yet. Brown formerly was in charge of advertising for Universal; the Chinese Theatre, Los Angeles, and RKO mid-west and west coast theatre divisions.

Chaplin Still Richest

LOS ANGELES, Sept. 4.—Charlie Chaplin still is the wealthiest citizen of Hollywood, according to annual records of the county tax collector made public today. The valuation of property held by the comedian is given as $3,279,230. The richest landowner is Will Rogers, whose properties are assessed at $322,920.

Darmour Coming East

HOLLYWOOD, Sept. 4.—Larry Darmour, production head of Majestic, leaves by plane for New York next Tuesday for conferences with Herman Gluckman and E. H. Goldstein. He will take with him a print of "Night Alarm," just completed.

Darmour's eastern stay will only be for a few days.

Most on Big Board Decline

	High	Low	Close	Net Change	Sales
Columbia Pictures, vtc	30¼	29⅜	30¼	+ ¾	200
Consolidated Film Industries	3	3	3	.....	100
Consolidated Film Industries, pfd	13¼	13¼	13¼	+ ⅛	300
Fox Film "A"	11⅜	10¼	10¼	—1⅛	1,700
Loew's, Inc.	27¼	26½	27⅛	— ⅛	2,700
Loew's, Inc., pfd	91¾	91¾	91¾	— ¼	100
Paramount Publix	3⅞	3¾	3¾	— ⅛	200
Pathe Exchange	1⅛	1	1	— ⅛	2,300
RKO	2¼	2⅛	2¼	— ⅛	200
Warner Bros.	4⅜	4¼	4¼	— ¼	700

Curb Stocks Show a Loss

	High	Low	Close	Net Change	Sales
Technicolor	12¾	12½	12¾	— ⅛	600
Trans Lux	1⅞	1⅝	1⅝	— ¼	300

Warner Bonds Advance Point

	High	Low	Close	Net Change	Sales
General Theatre Equipment 6s '40	6	5⅜	5¾	.....	12
Loew's 6s '41, ww deb rights	102	101¾	101¾	— ¾	3
Paramount Publix 5½s '50	47	47	47	—1	2
Warner Bros. 6s '39, wd	54	52¾	54	+1	6

Purely Personal

JACK S. CONNOLLY, general manager of Pathe News; DICK HYLAND, fan magazine and scenario writer; MRS. LEON LEONIDOFF, wife of the Music Hall director; BILLY ROSE, PEGGY HOPKINS JOYCE, and FANNIE HURST and her husband, JACQUES DANIELSON, the pianist, were among the passengers when the *Ile de France* docked here yesterday.

DAVID L. STRUMPF, art director in the advertising department at Radio, is now the proud father of a seven and a half son, born Sunday night at the Fifth Ave. Hospital. The new arrival will be named Michael.

MARY PICKFORD has arrived from the coast to discuss publication of a series of stories which she will write and is due back in Hollywood in about three weeks.

THEODORE C. DEITRICH, director of publicity and advertising for Cosmopolitan Prod., is recovering at his home here from a recent attack of pneumonia.

JOHNNY WEISSMULLER, who came east for the water carnival at Jones Beach, checked in at the Warwick yesterday for a stay here of several days.

HOWARD S. CULLMAN will speak over WABC at 3 P.M. today on "Romance of a People," the stage attraction at the Roxy beginning Friday.

MAURICE CHEVALIER gets into town tomorrow. He will sail Saturday to spend a holiday in France. He will get back early in the fall.

RIAN JAMES is working on the script of "Heldorado" for Fox, having transferred his typewriter from the Warner studio.

MRS. JOHN DURANTE, formerly of *Film Daily's* staff in New York, gave birth yesterday to boy twins at Lutheran Hospital.

JOSEPH SEIDELMAN, in charge of Columbia's foreign activities, plans to return from England in about a month.

ETHAN ALYEA and S. S. ISSEKS of the Paramount trustees' legal department returned yesterday from vacations.

HOWARD BROMLEY, assistant to FRANK O'HERON at the Radio studio, is in Toronto visiting his sick mother.

WILLIAM WELLMAN, the director, according to word just received here, is a daddy of a seven-pound girl.

RALPH MORGAN is due here from Hollywood in the near future to begin a Broadway engagement.

JOE KATZOFF and MORRIS WEBER, both of Progressive Poster Exchange, are expectant fathers.

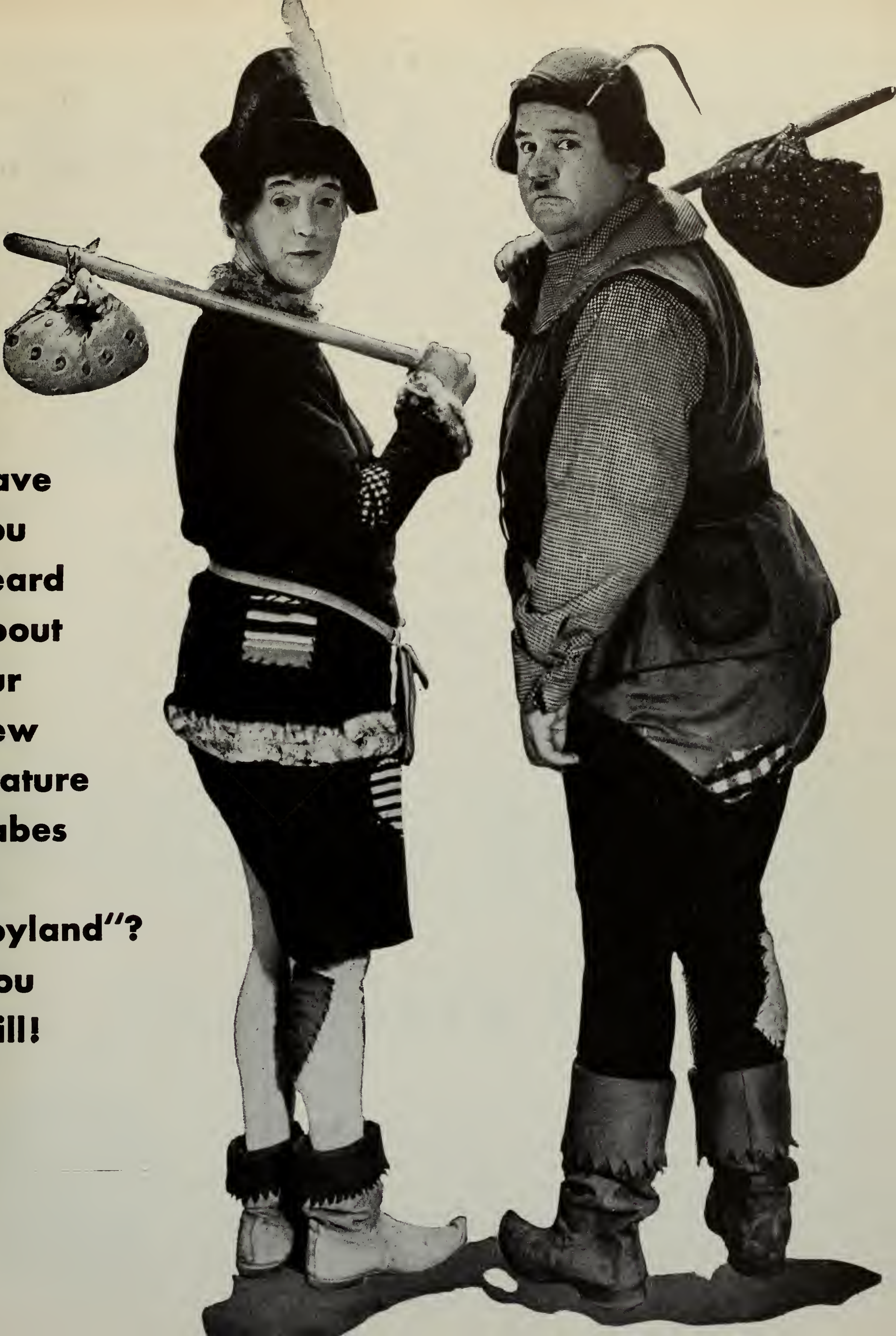
W. RAY JOHNSTON will pay a brief visit to his home town, Waterloo, Ia., before heading east.

DAVE PALFREYMAN returned yesterday from a vacation on the native Indiana heath.

B. H. MILLS, Majestic franchise holder in Albany, is in town.

MAY ROBSON arrived here from the coast yesterday on vacation.

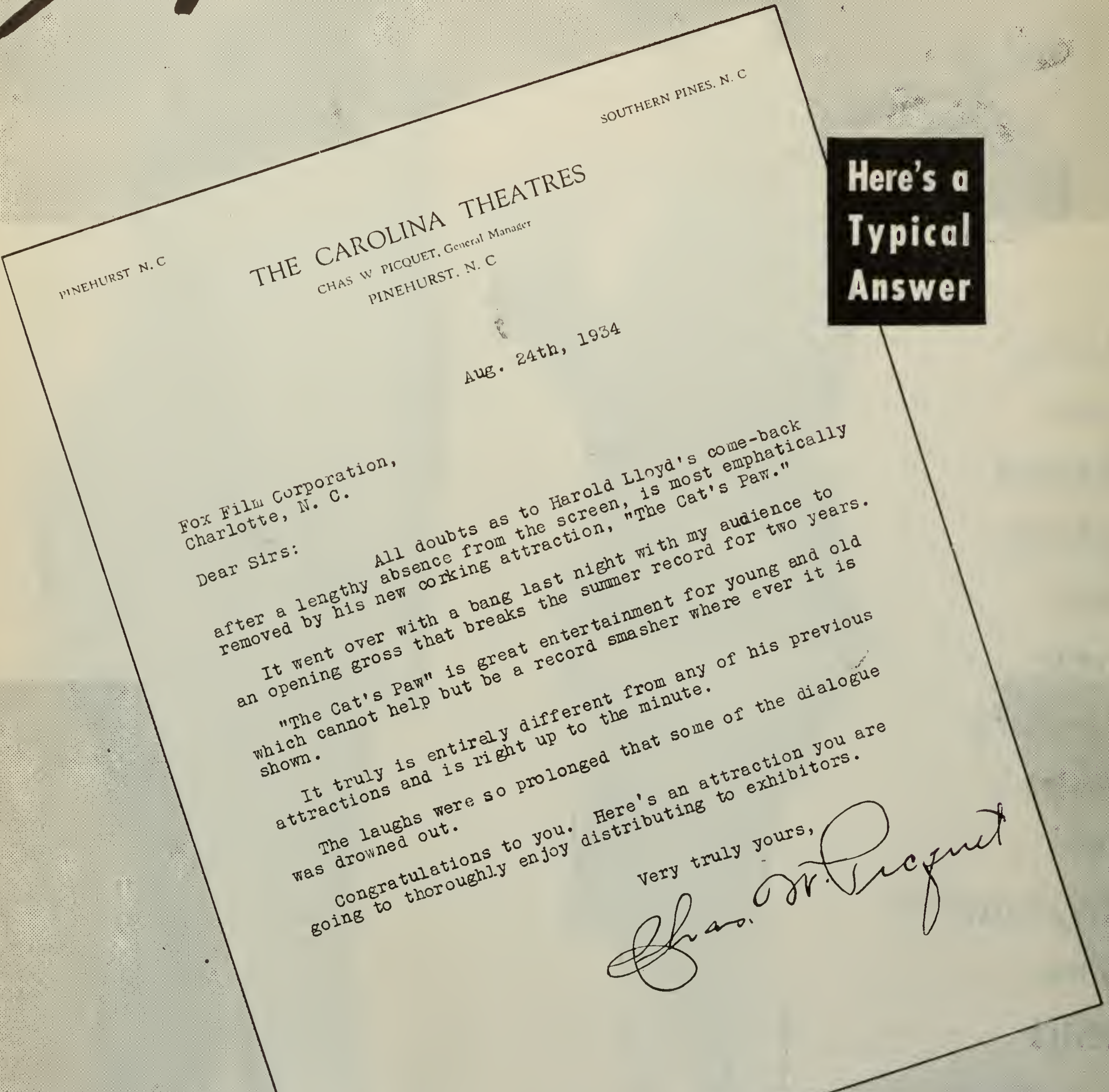
GENE RAYMOND is poring over law books these day.



**Have
you
heard
about
our
new
feature
"Babes
in
Toyland"?
You
will!**

Ask the man

Here's a Typical Answer



PINEHURST N. C

THE CAROLINA THEATRES
CHAS W PICQUET, General Manager
PINEHURST, N. C

SOUTHERN PINES, N. C

Aug. 24th, 1934

Fox Film Corporation,
Charlotte, N. C.

Dear Sirs:

All doubts as to Harold Lloyd's come-back after a lengthy absence from the screen, is most emphatically removed by his new corking attraction, "The Cat's Paw."

It went over with a bang last night with my audience to an opening gross that breaks the summer record for two years.

"The Cat's Paw" is great entertainment for young and old which cannot help but be a record smasher where ever it is shown.

It truly is entirely different from any of his previous attractions and is right up to the minute.

The laughs were so prolonged that some of the dialogue was drowned out.

Congratulations to you. Here's an attraction you are going to thoroughly enjoy distributing to exhibitors.

Very truly yours,

Chas. W. Picquet

Mr. Picquet is president of the North and South Carolina Motion Picture Theatre Owners Association

Every thing new but these

who played it!

and you'll know what it will do for you

Talk to the men who have doubled their grosses... cleaned up on extended runs... broken their records... in every part of the United States... as well as in Canada.

Hear their stories... and you'll join the rush of exhibitors... eager to sign for "The Cat's Paw" before the opposition beats them to it!

Ask the men who run the...

Paramount	Atlanta	Palace	Cincinnati	Rialto	Louisville
Poli	New Haven	Fox	Philadelphia	New	Baltimore
Apollo	Indianapolis	Radio City Music Hall	New York	Apollo	Atlantic City
Warfield	San Francisco			Century	Rochester
Palace	Montreal	5th Avenue	Seattle	State	Los Angeles

HAROLD LLOYD

in

The Cat's Paw

From the Saturday Evening Post story
by **CLARENCE BUDINGTON KELLAND**

PRODUCED BY HAROLD LLOYD CORPORATION A FOX RELEASE

THE *BIGGER* THE BATHTUB

Time Magazine, referring to Cecil

Cecil B. DeMille's Paramount production "CLEOPATRA" with CLAUDETTE COLBERT, WARREN WILLIAM, HENRY WILCOXON, Ian Keith, Joseph Schildkraut, C. Aubrey Smith and Gertrude Michael, has the largest bath ever portrayed on the screen.

THE *BIGGER* THE GROSS

cil B. DeMille's Paramount pictures.

CLAUDETTE COLBERT as Cleopatra
WARREN WILLIAM as Julius Caesar
HENRY WILCOXON as Marc Antho

The sensational business that Cecil B. DeMille's "CLEOPATRA" is now doing in New York, Philadelphia, Atlantic City and Denver, indicates that it is one of the biggest grossing pictures in years.

he best show

WARREN WILLIAM

as "Caesar"
in the CECIL B. DeMILLE Production

"CLEOPATRA"

A Paramount Picture

Exhibitors to Press Action On Music Tax

(*Continued from page* 1)

Astor to discuss further steps in the legal campaign to oppose ASCAP's contemplated music tax increases and to advance plans for collecting the penny-a-seat contributions from co-operating theatre owners to finance the court fight.

While exhibitors welcome the government's action against the music licensing groups, they feel that considerable time will be required to try the issues involved in that action. The first aim of the exhibitors' legal fight against ASCAP is to obtain immediate relief from the organization's music tax increases, which go into effect Oct. 1. To obtain this relief, injunctions will be sought within the next few weeks restraining ASCAP from inaugurating the increases and from making any music tax collections whatever. The actions will be filed by George Z. Medalie, former U. S. district attorney here.

Injury Causes Shutdown

Hollywood, Sept. 4.—Unable to continue "Babes in Toyland" without his services, the Hal Roach plant has closed to await the complete recovery of Stan Laurel, who recently injured his leg. All but contract players and necessary operating employes have been laid off.

20th Buys Final Script

Hollywood, Sept. 4.—Darryl Zanuck today closed a deal for the 10th and final story of 20th Century's new season lineup. It's called "The Man Who Broke the Bank of Monte Carlo."

Moscowitz Reaches Coast

Hollywood, Sept. 4.—Joseph Moscowitz of United Artists arrived here today to participate in the general executive and owners' meeting of the company to be held here this week.

Heyman Flying East

Hollywood, Sept. 4.—Louis Heyman, general manager of Principal Distributing Co., flies to New York tomorrow to negotiate releases for the balance of his company's product.

Goldwyn Signs Hopkins

Hollywood, Sept. 4.—Samuel Goldwyn has signed Miriam Hopkins to a four-year contract, making her the first American woman star to come under his banner in several years.

Signs Jean Chadburn

Hollywood, Sept. 4.—As a result of a test for a minor role in a forthcoming picture, M-G-M has signed Jean Chadburn, Wampas "baby star," to a long-term contract.

Rob Corona Theatre

Holdup men got away with $1,600 at the Corona Theatre, Corona, L. I., yesterday.

Majors Select Group to Study Clearance Problem

(*Continued from page* 1)

schedules. Attending the meeting will be:

Neil Agnew, Paramount; James R. Grainger, Universal; Al Lichtman, United Artists; A. W. Smith and Gradwell L. Sears, Warners; Ned Depinet and Jules Levy, RKO; Felix F. Feist, M-G-M; John D. Clark, Fox; Abe Montague, Columbia; Jack Skirball, Educational; Edward Golden, Monogram; Harry H. Thomas, First Division.

All schedules before Campi for appeal will be gone over and suggestions made by the committee for revision. Principles and recommendations handed down by the committee will be final.

Appeal hearings will be set for schedules which the committee finds are within code provisions. However, no hearings will be set until after the Jewish holidays, Sept. 19. In zones where no schedules have been drawn, the local boards will again hear protests to present clearances. Contracts for the new season will be affected according to decisions and appeals from these territories.

Frisco's 2nd Runs See Code Victory

(*Continued from page* 1)

weeks, in which most first runs have been lifting prices, it may mean little.

From all points, however, have come expressions of satisfaction over the whole deal.

Briefly, the new deal calls for a retention of the original 56-day clearance for houses charging 50 cents or more. The new 49-day clearance will apply to theatres charging 40 cents top. In this category are four local spots, the Fox, St. Francis, Orpheum and Golden Gate.

However, with the trend looking upward, all of these houses may bring their prices up a dime in order to get the 56-day clause written in. With Fox West Coast controlling the first run situation, this looms as a strong possibility.

Another clause in the decision gives the San Francisco houses first run in northern California, a day ahead of Oakland, and a week ahead of Stockton, which originally took all first runs.

Still another important clause says that a picture transferred from one first run to another must continue on an admission price equal to the average of first runs. This will affect the St. Francis, which usually took subsequent runs from the Warfield at two bits less admission.

Labor Board Clears Loew's and Skouras

(*Continued from page* 1)

the Gates because of union membership. The labor board found no basis for the charges. C. C. Moskowitz represented Loew's at the hearing. The union also charged the Skouras Roosevelt with discrimination in the laying off of Arthur Nichols.

Local 95 held a membership rally last night at 752 Eighth Ave., attended by about 100 ushers.

Approves of Cal. Zoning

Hollywood, Sept. 4.—Ben Berinstein, president of Associated Exhibitors, Inc., recently returned from Campi sessions in New York, yesterday expressed his confidence in the new clearance and zoning based on price classification now in effect in southern California.

Why Pickford Is Here

Hollywood, Sept. 4.—Mary Pickford's trip east, the purpose of which the actress is keeping a secret, is understood here to concern a possible association with Edmund Goulding as a producer to make a series of pictures.

Obtains Foreign Rights

All foreign rights to "The Man from Hell," "Fighting Through" and "Guns for Hire," Willis Kent productions, have been obtained by the J. H. Hoffberg Co.

U. S. Buying More Belgian Raw Stock

(*Continued from page* 1)

of unexposed sensitized films last year were valued at $360,196, three times the 1929 purchases of $110,324, it was revealed in a summary of our trade with Belgium.

A public hearing on the negotiations will be held by the Committee for Reciprocity Information Oct. 29, it was announced.

Dog Racing Move Fails

Seattle, Sept. 4.—Petitions providing for the placing of a dog racing bill on the state ballot next November have been found to lack the number of signatures required. It appears certain, therefore, that dog races will not be held in Seattle or Spokane during the summer of 1935, inasmuch as betting is prohibited.

Finance Co. Formed

Dover, Del., Sept. 4. — Transcontinental Amusement Corp. has been chartered here to carry on a general financial business, listing capital stock of 1,000 shares, no par value. Incorporators are C. S. Peabbles, B. R. Jones and W. T. Hobson of Wilmington.

New Camera Work

The fourth annual issue of Modern Photography will be off the presses of the Studio Annual of Camera Art this week. The book contains 96 examples of the leading international photographers with their autobiographical notes and technical articles.

"U" Holds Johnston

Hollywood, Sept. 4. — John Leroy Johnston has been signed to a new one-year contract as publicity chief of Universal.

Grosses Rise As Vacations End in Boston

Boston, Sept. 4.—Grosses advanced last week, with all theatres at average or above for the first time in months. The better tone in the city's show business was attributed largely to the closing of the vacation season. A still further improvement is expected with the reopening of schools next week. The Metropolitan was at its $28,000 average with "Handy Andy." It was the best showing at the house in many weeks. Tied for second place at $17,000 were the Boston, with a dual consisting of "Blind Date" and "Name the Woman," and Keith's with "Down to Their Last Yacht." Both theatres were $1,000 over par.

Total first run business for the week ended Aug. 30 was $97,000. Average is $94,000.

Estimated takings for the week:

"BLIND DATE" (Col.)
"NAME THE WOMAN" (Col.)
BOSTON—(2,900), 25c-50c, 7 days. **Gross:** $17,000. (Average, $16,000.)

"YOU BELONG TO ME" (Para.)
"WILD GOLD" (Fox)
FENWAY—(1,800), 30c-50c, 7 days. **Gross:** $10,000. (Average, $9,000.)

"DOWN TO THEIR LAST YACHT" (Radio)
KEITH'S—(3,500), 30c-65c, 7 days. **Gross:** $17,000. (Average, $16,000.)

"HIDE-OUT" (M-G-M)
LOEW'S STATE—(3,700), 35c-50c, 7 days. **Gross:** $16,000. (Average, $16,000.)

"HANDY ANDY" (Fox)
METROPOLITAN—(4,350), 30c-65c, 7 days. Fred Waring and His Pennsylvanians. **Gross:** $28,000. (Average, $28,000.)

"YOU BELONG TO ME" (Para.)
"WILD GOLD" (Fox)
PARAMOUNT—(1,800), 30c-50c, 7 days. **Gross:** $9 000. (Average, $9,000.)

"Navy" Tips Take Up in Providence

Providence, Sept. 4.—The navy came along to boost grosses at the Majestic to $8,500 for one of the best takes in many moons, featuring a week of so-so attractions. A combo bill of "Here Comes the Navy" and "She Was a Lady" did the trick for the Fay interests. "Affairs of Cellini," despite the personal popularity of Fredric March, pulled only $10,000 at Loew's, $2,000 under par.

The Strand caught $5,000 with the second week of "She Loves Me Not." The RKO Albee was down to $4,000 with a double feature program.

Total first run business was $28,475. Average is $33,500.

Estimated takings for the week ending Aug. 29:

"HERE COMES THE NAVY" (Warners)
"SHE WAS A LADY" (Fox)
MAJESTIC—(2,400), 15c-40c, 7 days. **Gross:** $8,500. (Average, $7,000)

"AFFAIRS OF CELLINI" (U. A.)
LOEW'S STATE—(3,800), 15c-40c, 7 days. Rio Brothers on stage. **Gross:** $10,000. (Average, $12,000)

"SHE LOVES ME NOT" (Para.) (Second Week)
"HERE COMES THE GROOM" (Para.)
STRAND—(2,300), 15c-40c, 7 days. **Gross:** $5,000. (Average, $6,500)

"BLACK MOON" (Col.)
"NAME THE WOMAN" (Col.)
RKO ALBEE—(2,300), 15c-40c, 7 days. **Gross:** $4,000. (Average, $7,000)

"JANE EYRE" (Monogram)
"RANDY RIDES ALONE" (Monogram)
RKO VICTORY—(1,600), 10c-25c, 4 days. **Gross:** $975. (Average, $1,000)

Kann Injured; Wife Dies in An Auto Crash

(*Continued from page 1*)

Mentone Prod., and Herman Center, Mrs. Kann's brother, were returning from Monhegan Island, Me. Goldberg was driving through rain and fog.

Goldberg was bruised badly and was placed in the emergency section of the hospital, but his condition is not regarded as serious. Center was able to leave the hospital late yesterday. Kann will return to New York today.

The accident took place on York St. opposite the Yale University Theatre. Goldberg told the police he was reaching to adjust the windshield to clear his vision when he crashed into the rear of a milk truck owned by E. Smith & Son. Mrs. Kann was riding in the front seat and Kann and Center were in the rumble seat of a convertible coupe.

Mrs. Kann was Marie Center prior to her marriage in 1927. She was 30 years old and a native New Yorker. Funeral arrangements will be made today.

Columbo Funeral to Follow an Inquest

HOLLYWOOD, Sept. 4.—Funeral arrangements for Russ Columbo, screen and radio singer, are being delayed here pending the outcome of the coroner's inquest scheduled for tomorrow and described as a formality by Coroner Frank Nance.

Funeral services will be held at the Blessed Sacrament Roman Catholic Church here Thursday morning. The body will then be taken to a mortuary to await the arrival of relatives from the east before burial.

Columbo was accidentally shot and killed by Lansing Brown, Jr., as both men were examining an old Derringer dueling pistol. The gun went off and the bullet ricocheted off a table and struck Columbo over the left eye, entering his brain. He died Sunday night as specialists were preparing to operate to extract the bullet.

Columbo had completed "Wake Up and Dream" for Universal a few days ago. He was also an orchestra leader and joint author of two song hits, "You Call It Madness" and "Time on My Hands."

G. O. Burnett Passes

TORONTO, Sept. 4.—G. O. Burnett, general secretary of the Canadian Film Boards of Trade and executive assistant to Colonel John A. Cooper, M.P.P.D.A. Canadian representative, died Sunday of cancer at the age of 35.

OPPORTUNITY

Entirely new national setup is anxious to contact successful branch managers and film salesmen; if interested write in detail giving past experience and present position; all replies will be kept strictly confidential.

Box 300, Motion Picture Daily
1790 Broadway N. Y. City

MOTION PICTURE DAILY'S HOLLYWOOD PREVIEW

"Wagon Wheels"

(*Paramount*)

HOLLYWOOD, Sept. 4.—Better than the average western film fare and minus the usual blood and thunder hokum, "Wagon Wheels" sticks close to the historic record of the covered wagon trek to Oregon.

Mounted more elaborately than the ordinary western and handled well in all departments, this should register okay with the cowboy contingent. The film deals with the first wagon train out of Independence, Mo., bound for the virgin territory of Oregon. There is plenty of gun-fire enroute, but the story continuity manages to supply definite reason for the shooting. The story features the numerous hardships endured by the pioneers in the continent crossing. Romance as supplied by Randolph Scott, one of the scouts responsible for the safety of the pioneers, and Gail Patrick, a widow who has kidnapped her son, Billy Lee, from her in-laws and makes the trek to escape further family interference. The villain is Monte Blue, a half-breed, who turns traitor in the endeavor to keep the train from reaching its destination. Scott finally discovers Blue's activities and Blue is shot during the showdown, paving the way for a happy ending in Oregon with Scott and Miss Patrick.

Charles Barton's first directorial effort is commendable. William Mellor's photography gives the picture distinction. The performances of Billy Lee and Jan Duggan are standouts. Jack Cunningham's screenplay is good. Production code seal No. 196. Running time, 57 minutes.

Production Slightly Off; 33 Underway

(*Continued from page 1*)

the stages within two weeks and 38 in the cutting rooms. The short subjects also varied to some extent, registering seven shooting, 11 in preparation and 20 in the cutting rooms.

Fox topped the list with features in work, with six shooting, one preparing and one editing; Radio, five, four, two; Warners, five, one, nine; Universal, four, one, three; Columbia, three, two, four; M-G-M, three, two, 10; Goldwyn, two, zero, zero; Roach, one, zero, zero. The independent group registered four, six and nine.

As for shorts, M-G-M had three shooting, five in the final stages of preparation and three editing; Roach, zero, zero, two; Columbia, two, two, two; Radio, zero, one, six. The independent group had two, three and seven.

Skouras, Randforce To Take Salary Cut

(*Continued from page 1*)

amount to approximately $50,000 annually. The operators' participation in profits of the circuit would not be disturbed by the salary change, it is reported. Groups active in the Fox Met reorganization are urging that the operators dispense with salaries entirely.

Intimations that Fox Met may not be reorganized under the new bankruptcy laws were given yesterday with the filing of a motion by bondholders of the circuit to vacate an order signed late last week by Federal Judge Julian W. Mack denying a motion to approve the bondholders' plan of reorganization. In the event Judge Mack's order is vacated creditors may still move to reject a reorganization under Section 77-B at the hearing scheduled for Sept. 12, it was stated.

Randolph Lewis Is Dead

HOLLYWOOD, Sept. 4.—Randolph Lewis, 71, former publicity director and scenario editor for Pathe, died at the General Hospital here yesterday of a heart attack. He was here since 1927 as a free-lance writer. Lewis was popularly known as "Sunshine Randy." Surviving are a daughter, Anna Montgomery, and a sister, Florence Bentley, who is making arrangements for his burial in Chicago.

Open St. John House

ST. JOHN, N. B., Sept. 4.—The latest house of the Franklin-Herschorn circuit in Eastern Canada, given the name of Mainstreet Theatre, has been formally opened. The house, which had been under construction for four months, is the second to be opened within a year by J. M. Franklin of Ottawa, former RKO Theatre representative in Canada.

Musicians Lose Fight

RICHMOND, Sept. 4—Musicians' Union No. 123 has just lost another move in its long fight to secure representation in local theatres and amusement halls. Judge Ernest H. Wells has denied an application for an injunction against the Walter J. Coulter interests to prevent the employment of outside musicians at Tantilla Gardens.

J. Q. Clemmer Resigns

SEATTLE, Sept. 4.—James Q. Clemmer, manager of the Fifth Avenue Theatre here since its opening eight years ago, has resigned. His successor has not yet been announced by Frank L. Newman. Ronald Harrington, assistant manager, is temporarily in charge.

Twyman Out as Mayor

RICHMOND, Sept. 4.—Frederick W. Twyman, mayor-exhibitor of Charlottesville, is no longer chief executive. He has been succeeded by Dr. W. Dandridge Haden.

Altering Reade House

Walter Reade is remodeling the St. James, Asbury Park, N. J., at a cost of $75,000. Among the improvements will be new sound equipment.

B'way Takes Soar Sharply On Week-End

(*Continued from page 1*)

Paramount garnered $20,700, with "Cleopatra," in its third week there.

The largest Labor Day crowds in the history of the Roxy helped to swell receipts at that house for the four days to $24,700. The film is "We're Rich Again." The Rivoli, where "Bulldog Drummond Strikes Back" is in its third week, reports a take of $10,000 over the week-end. The gross at the Strand, where "Dames" is in its third week, amounted to $14,000 for Saturday, Sunday and Monday. The Mayfair receipts for eight days, including Labor Day, were $11,000, with "Straight Is the Way" the picture.

Broadway grosses for last week follow: Palace, "Hat, Coat and Glove," $8,500; Paramount, $45,200; Rialto, "Dragon Murder Case," $12,000; Rivoli, $22,000; Strand, $29,000.

Rain Sends Record Crowds to Loop Houses

CHICAGO, Sept. 4.—Rain Saturday Sunday and Monday gave Loop houses a record Labor Day week-end, with business up from 30 to 50 per cent at every spot and necessitating extra police to handle the crowds.

Theatres also profited when thousands who would have attended the fair were impelled by the weather to seek film entertainment. Yet in spite of this attendance at the fair on Labor Day was the second highest of the year. Indications are that total business this week will hit the peak for the year.

Bank Asks Removal Of Cincy Receiver

(*Continued from page 1*)

as trustee for the bondholders, to set aside appointment of Ben L. Heidingsfeld as receiver for the Shubert-Cox Theatres Co. The motion alleges that the receiver was appointed through misrepresentation, and that the bank had not been informed of the receivership action.

Heidingsfeld was appointed Aug. 27 by U. S. District Judge Benson W. Hough, at Columbus, on application of the Trebuhs Realty Co., of New York, as a creditor with claims totalling $13,065.44 on loans.

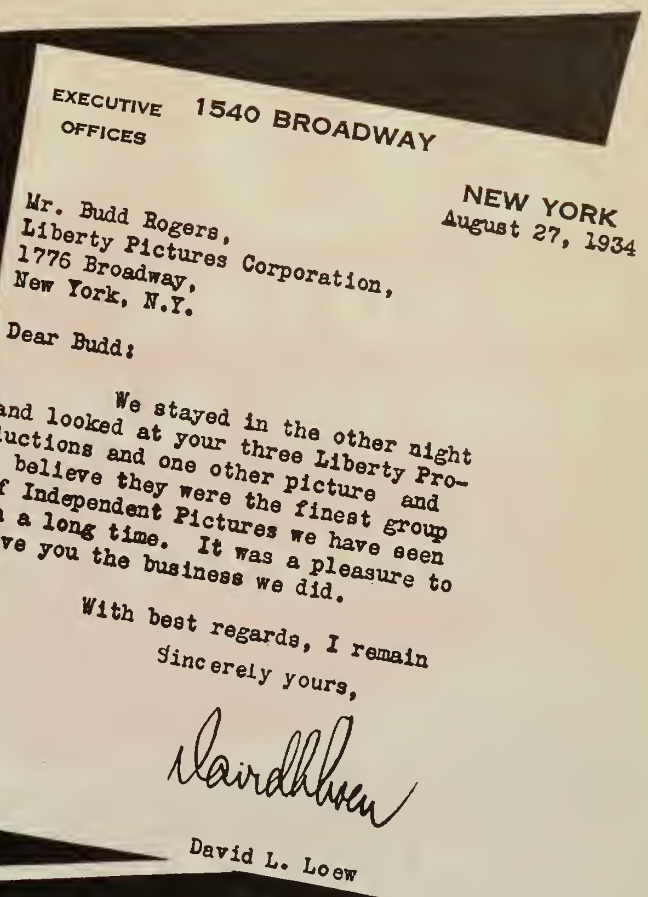
The bank recently obtained judgment for $269,830.55 on a first mortgage trust indenture dated Jan. 1, 1922, and was threatening to force sale of the property, it was averred in complainant's petition. The court was asked to enjoin the bank from proceeding with this action.

Criterion May Be Majestic B'way Spot

(*Continued from page 1*)

Criterion to play Majestic's 12 features for the new season, starting with "Scarlet Letter." When the deal is signed, the Criterion will enter the first run category on Broadway again.

LOEW'S Book



EXECUTIVE OFFICES 1540 BROADWAY

NEW YORK
August 27, 1934

Mr. Budd Rogers,
Liberty Pictures Corporation,
1776 Broadway,
New York, N.Y.

Dear Budd:

We stayed in the other night and looked at your three Liberty Productions and one other picture and I believe they were the finest group of Independent Pictures we have seen in a long time. It was a pleasure to give you the business we did.

With best regards, I remain
Sincerely yours,

David L. Loew

LIBERTY'S 1934-35 FEATURES

Over its New York Circuit!

"WHEN STRANGERS MEET"

Directed by W. Christy Cabanne
with
RICHARD CROMWELL—ARLINE JUDGE—LUCIEN LITTLEFIELD

"TAKE THE STAND"

Directed by Phil Rosen
with
JACK LA RUE — THELMA TODD — GAIL PATRICK

"CHEATERS"

Directed by Phil Rosen
with
BILL BOYD — DOROTHY MACKAILL — JUNE COLLYER

"SCHOOL FOR GIRLS"

Directed by William Nigh
with
SIDNEY FOX PAUL KELLY LOIS WILSON

"ONCE TO EVERY BACHELOR"

Directed by William Nigh
with
MARION NIXON — NEIL HAMILTON — AILEEN PRINGLE

"NO RANSOM"

Directed by Fred Newmeyer
with
LEILA HYAMS — PHILLIPS HOLMES
Jack La Rue Robert McWade

"TWO HEADS ON A PILLOW"

Directed by William Nigh
with
NEIL HAMILTON — MIRIAM JORDAN
Hardie Albright — Lona Andre

"WITHOUT CHILDREN"

Directed by William Nigh
MARGUERITE CHURCHILL BRUCE CABOT EVELYN BRENT

LIBERTY PICTURES CORP.

1776 Broadway, N. Y. COlumbus 5-1784

Home Office and Studios, Culver City, Cal.

20TH CENTURY MA

HEADING THE 1934-35

THESE BIG DARRYL F. ZANU

presented by JOSEPH M. SC

RONALD COLMAN in **"BULLDOG DRUMMOND STRIKES BACK"**

You've seen the amazing box-office reports on its first 40 engagements! Out-drawing the first Drummond picture which out-drew 'em all . . !

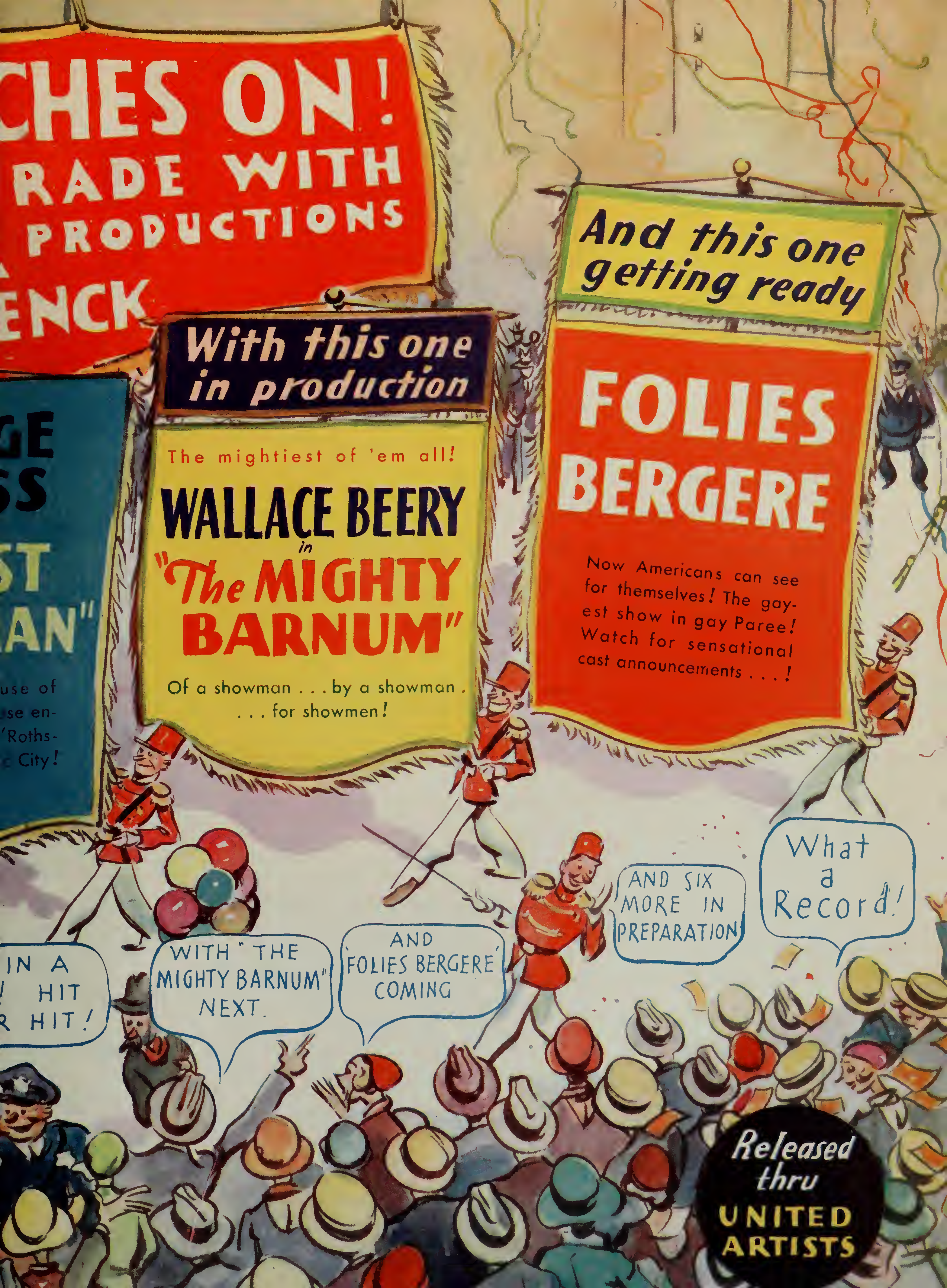
Constance BENNETT Fredric MARCH in **"THE AFFAIRS OF CELLINI"**

"Socks Baltimore for powerful $20,000!" shouts Variety's first report! And . . . it did stand-up-and-rave business at 20 Loew key-city houses last week. . .!

GEO ARI **"The GENTL**

Bigger than "
Rothschild" in
gagements! D
child" record i

They gave us 'MOULIN ROUGE' 'GALLANT LADY' 'HOUSE OF ROTHSCHILD'



With this one in production

The mightiest of 'em all!

WALLACE BEERY
in
"The MIGHTY BARNUM"

Of a showman . . . by a showman . . . for showmen!

And this one getting ready

FOLIES BERGERE

Now Americans can see for themselves! The gayest show in gay Paree! Watch for sensational cast announcements . . . !

IN A
HIT
R HIT!
WITH "THE MIGHTY BARNUM" NEXT.
AND FOLIES BERGERE COMING
AND SIX MORE IN PREPARATION
What a Record!

Released thru
UNITED ARTISTS

Every now and then a new picture takes its place
In making motion picture history.
The occasions are not many but when one occurs
It is a tense, stirring, unforgettable circumstance.
Such a moment is at hand:
There will be presented at
RADIO CITY MUSIC HALL on Thursday
A musical romance marking a new cycle of entertainment.
This is the first
And, as in similar instances in the past
It will in all likelihood be the greatest.
If one were to analyze the picture, one would find
That Entertainment is its outstanding quality.
Its dominant note is the most thrilling voice
Yet heard upon the screen.
CLARK GABLE defined it as the most romantic entertainment
In the world of the theatre.
EDDIE CANTOR said that because of it
The singer was destined to become
The world's greatest musical star.
NORMA SHEARER was thrilled by it.
MAURICE CHEVALIER stated that it would start another cycle.
RUTH CHATTERTON, MARY PICKFORD, GLORIA SWANSON
Added their plaudits to the rapturous comments of the others
And LIBERTY gave it Four ★★★★ Stars.
For all of these reasons
COLUMBIA is proud to present
GRACE MOORE in ONE NIGHT OF LOVE.

The Leading Daily Newspaper of the Motion Picture Industry

MOTION PICTURE DAILY

Alert, Intelligent and Faithful Service to the Industry in All Branches

VOL. 36. NO. 56 | NEW YORK, THURSDAY, SEPTEMBER 6, 1934 | TEN CENTS

Claim Losses Due to 'Jack Rabbit' Shows

Also Lower Industry's Prestige, Is Charge

That so-called "jack rabbit" circuits, conducted by persons traveling from town to town with portable equipment for one-night stands, are causing an annual loss running into hundreds of thousands of dollars to distributors and exhibitors is reported in *Motion Picture Herald,* out today. The publication estimates the number of these illegitimate operators in the country at approximately 1,000, with audiences averaging 200 persons.

Besides bringing a financial loss to the business, these operators, according to the *Herald,* "do much to lower the prestige of the industry

(*Continued on page* 13)

Strassberg Joins Up With Nelson, Renner

Sam Strassberg with nine theatres in Brooklyn has merged with Nelson & Renner, operating six in the same borough. Interboro Circuit, Inc., has been formed and is now operating.

Nelson & Renner's houses are the Coliseum, Hollywood, Endicott, Metro, Sun and Howard. Strassberg's are the Berkshire, Canarsie, Kismet, Park, Ritz, State, Sumner, Williamsburg in Brooklyn and the College, College Point, L. I.

Funeral Services for Mrs. Kann Tomorrow

Funeral services for Mrs. Marie Kann, wife of Maurice D. Kann, editor of MOTION PICTURE DAILY, will be held tomorrow morning at the Kann apartment, 65 Central Park West. The services will be private.

The services will be conducted by Rabbi Alfred I. Aarons of the Congregation of Mt. Sinai, Brooklyn.

Kann returned to New York last night after being discharged from the New Haven General Hospital. He was accompanied by Herman Center,

(*Continued on page* 12)

"U" Seeking Foreign Film, Says Laemmle

LONDON, Sept. 5.—(By Cable)—At a press lunch in honor of Carl Laemmle he said Universal was seeking independent product in Europe to bolster its program. The company is willing to buy up to 20 of suitable quality, he said.

Four Majors To Seek 25¢ Chicago Deals

Eighteen Films May Be Included in Plan

CHICAGO, Sept. 5. — Following an agreement reached between United Artists and B. & K. whereby a minimum admission of 25 cents must be charged in all of the circuit's houses on three U. A. films, four other companies are discussing possibilities of each selling at least three pictures on the same plan.

The companies talking about the plan are Paramount, M-G-M, Warner-First National and Fox. Some other companies may join the confabs and it is likely that before the new

(*Continued on page* 14)

Warners, Col. Plan To Reissue Westerns

HOLLYWOOD, Sept. 5.—Warners and Columbia are taking advantage of the agitation for family films by reissuing several westerns, which have been given Production Code Administration approval.

Columbia has been given a clean bill of health on "Unknown Valley," "McKenna of the Mounted," "Silent Men," "Fighting for Justice," "The Western Code," "The Avenger," "Desert Vengeance," "The Fighting Sheriff," "The Dawn Trail" and "South of the Rio Grande." Warners has received a code seal on "The Texas Ranger."

Film Shortage Seen For Czechoslovakia

WASHINGTON, Sept. 5.—With 260 new pictures reported for the 1934-35 season, Czechoslovakia faces a film shortage for the current season, according to a statement to the U. S.

(*Continued on page* 13)

Claim Big Saving

Hollywood, Sept. 5.—According to statistics from the Academy of M. P. Arts and Sciences, the arbitration board has salvaged approximately $100,000 for Hollywood actors and actresses during the four-year period the board has been set up to settle disputes within the industry.

Middle West Prices Gain; Outlook Good

KANSAS CITY, Sept. 5.—Reports in the East that the Middle West is "down and out" because of the drought are the source of much humor hereabouts. The drought has hit several states hard, but famine is not "stalking in the land."

In film circles, it is pointed that a smaller number of theatres are closed than at any time since the depression, that some are reopening this fall and several theatre construction projects are under way in the Kansas City territory.

Surveys by the Associated Press

(*Continued on page* 13)

ITOA Labor Problem Up for Discussion

The local labor situation, particularly that involving Allied and Local 306, was discussed yesterday at the regular meeting of I. T. O. A., at the Astor. A review of the present situation for the benefit of exhibitors interested in making new contracts with Allied was presented.

The labor discussion lengthened the meeting into late afternoon and crowded a scheduled survey of new season's product off the program. Next week's I. T. O. A. meeting will feature product discussion.

Sinclair Wants State to Make and Exhibit Films

If Upton Sinclair is elected governor of California next November, he plans to launch a state-owned film industry with production primarily intended for the quarter of a million unemployed in that state, he told MOTION PICTURE DAILY in an exclusive interview.

"We will make our own pictures and show them in our own theatres and with our own orchestras," he said.

That program is part of his EPIC plan, which has for its purpose the abolition of poverty in California. Sinclair revealed his program contem-

(*Continued on page* 12)

Circuits May Pay Cost of Music Fight

Defection of Allied and Theatre Units Seen

Affiliated theatres and large independent circuits may be obliged to bear the burden of financing a legal battle against the American Society of Composers, Authors & Publishers, alone, it was indicated yesterday at a meeting of the emergency committee at the Astor.

Allied States, from all indications, will not participate in the contribution to a legal "war chest" on the basis of a penny a seat from member theatres, as agreed to last week by M. P. T. O. A., affiliated and large independent circuits. It was also indicated that I. T. O. A. and T. O. C. C. will not make contributions.

Walter Vincent, chairman of the emergency committee, said that these

(*Continued on page* 14)

Action Sought for Code Appeal Board

WASHINGTON, Sept. 5.—With the Industrial Appeals Board organized by Recovery Administrator Hugh S. Johnson more than a month ago to hear complaints from small business not functioning, indications of dissatisfaction are beginning to reach here over the apparent decease of the organization which was to perform the

(*Continued on page* 12)

U. A. Will Decide Suit Action Today

United Artists' board of directors this afternoon will decide whether or not to file suit against Campi in the U. S. District Court for an interpretation of the 10 per cent cancellation clause in the code.

The meeting of the board originally was scheduled for Tuesday but was

(*Continued on page* 12)

Objects to Code's Advertising Rules

Although the code prohibits premature advertising, William Yoost, local circuit operator and a member of the local clearance and zoning board, is in favor of independents advertising coming attractions in advance of playdates in Greater New York.

In a dissenting opinion in a local case, Loew's Rio against the Heights,

(*Continued on page* 12)

MOTION PICTURE
DAILY

(Registered U. S. Patent Office)

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Fox Halts Three Films

HOLLYWOOD, Sept. 5.—Fox has temporarily halted production on three pictures.

Story trouble was responsible for stopping "Marie Galante" and "The State vs. Elinor Norton," with both scripts being shot back to the scenario department for rehearsing. The other delayed film was "365 Nights in Hollywood," which was stopped for rehearsal of several musical numbers in the picture.

Stillman Heads Sov-Am

Jack Stillman has been made head of the Sov-Am Film Corp., a new producing company which will make Yiddish-language films. The firm plans to make four features this season with superimposed titles in English. The first will be "The Youth of Russia."

Boy Born to Browns

HOLLYWOOD, Sept. 5.—Harry J. Brown, Warner associate producer, is father of a seven-pound boy. His wife, Sally Eilers, is doing nicely at Cedars of Lebanon Hospital. They have named the youngster Harry Joe, Jr.

Adapting "Call of Wild"

HOLLYWOOD, Sept. 5.—Gene Fowler and Leonard Praskins are doing the script of Jack London's "Call of the Wild," which 20th Century will film for United Artists release.

Big Board Stocks Show Gains

	High	Low	Close	Net Change	Sales
Columbia Pictures, vtc	33⅜	31½	33⅜	+3⅛	1,500
Consolidated Film Industries, pfd	13½	13½	13½	+ ¼	200
Fox Film "A"	11½	11½	11½	+1¼	200
Loew's, Inc.	28⅜	27¾	28	+ ⅞	2,700
Paramount Publix, cts	3⅞	3¾	3¾	.....	500
Pathe Exchange	1⅛	1	1	.....	1,200
Pathe Exchange "A"	14½	13⅞	14½	+1½	300
RKO	2⅜	2⅛	2⅜	+ ⅛	600
Warner Bros.	4⅜	4¼	4⅜	+ ⅛	17

Curb Issues Remain Unchanged

	High	Low	Close	Net Change	Sales
Technicolor	12¾	12½	12¾	.....	300
Trans Lux	1⅝	1⅝	1⅝	.....	100

Little Activity in Bond Market

	High	Low	Close	Net Change	Sales
General Theatre Equipment 6s '40	6⅛	6⅛	6⅛	+ ⅜	3
Keith B. F. 6s '46	59½	59½	59½	—1½	1
Loew's 6s '41, ww deb rights	102	101¾	101¾	.....	3
Paramount F. L. 6s '47	47	47	47	.....	1
Paramount Publix 5½s '50	47	47	47	.....	1
Pathe 7s '37, ww	99	99	999	.....	2

Pittsburgh Variety Dinner Set Oct. 14

PITTSBURGH, Sept. 5. — Sunday night, Oct. 14, has been picked as the date for the Pittsburgh Variety Club's annual banquet. It will be held, as in the past, in the ballroom of the William Penn hotel.

Two days after the date had been announced, more than 200 reservations were received by the committee, all from local non-members. Since the guest list is limited to 700, indications point to an early sellout.

Five Stories Purchased

HOLLYWOOD, Sept. 5.—Recent story purchases include two by Paramount and one each by Fox, M-G-M and Radio.

They are: Paramount, Sophie Kerr's original, "Such a Lovely Couple" and Lewis Parker's play, "Joseph and His Brethren"; Radio, Samuel Hopkins Adams' "In Person"; M-G-M, Keith Winter's play, "The Shining Hour"; Fox, Gordon Morris' original, "Under the Pampas Moon."

Shift Peekskill House

PEEKSKILL, N. Y., Sept. 5.—Ben Knobel has turned the Peekskill and Colonial over to Ray Whittaker, president of Preferred Theatres Corp. The Colonial is now closed due to a violation, but is expected to be reopened shortly.

Nathanson in London

LONDON, Sept. 5.—(By Cable)—N. L. Nathanson arrived here yesterday from Carlsbad, where he took his annual treatments. He leaves Saturday on the *Empress of Britain.* He has contacted studio heads and given them advice on Canadian requirements.

M-G-M Signs Kingsley

HOLLYWOOD, Sept. 5. — Sidney Kingsley, author of the Pulitzer prize play, "Men in White," has been signed to a writing contract by M-G-M.

"Cromwell" Story Set

LONDON, Sept. 5.—(By Cable)—Julius Hagen will produce "Oliver Cromwell" from the Richard Fisher book.

Kleins Sail for N. Y.

LONDON, Sept. 5.—Eddie Klein and his wife sailed for New York tonight on the *Lafayette.*

Mrs. Chapman Named As a Kansas Censor

KANSAS CITY, Sept. 5.—Mrs. L. H. Chapman, Kansas City, Kan., has been named by Governor Landon to the Kansas state censor board for a three-year term to fill the vacancy caused by the resignation of Mrs. Zelma Redmond of the same city.

Mrs. Chapman's late husband was a water and light commissioner in Kansas City, Kan.

Falaise Ill in Paris

PARIS, Sept. 5.—Marquis Henri de la Falaise, Constance Bennett's husband, is dangerously ill of auto-intoxication in the American Hospital here.

J. L. & S. to Acquire Neighborhood Spots

CHICAGO, Sept. 5.—Jones, Linick and Schaefer will expand their interests by acquiring in the neighborhoods "as many houses as we can get," MOTION PICTURE DAILY was informed today. In addition, the circuit plans to build two theatres, the locations of which are being kept secret.

Criterion Signs for Three Mascot Films

John P. Goring has closed a deal with Mascot for three features for the Criterion, the first, "Young and Beautiful," being dated to open Sept. 19. "Crimson Romance" and "In Old Sante Fe" are the other two.

Majestic's "The Scarlet Letter" will follow "Young and Beautiful."

L. B. Mayer Returning

By BRUCE ALLAN

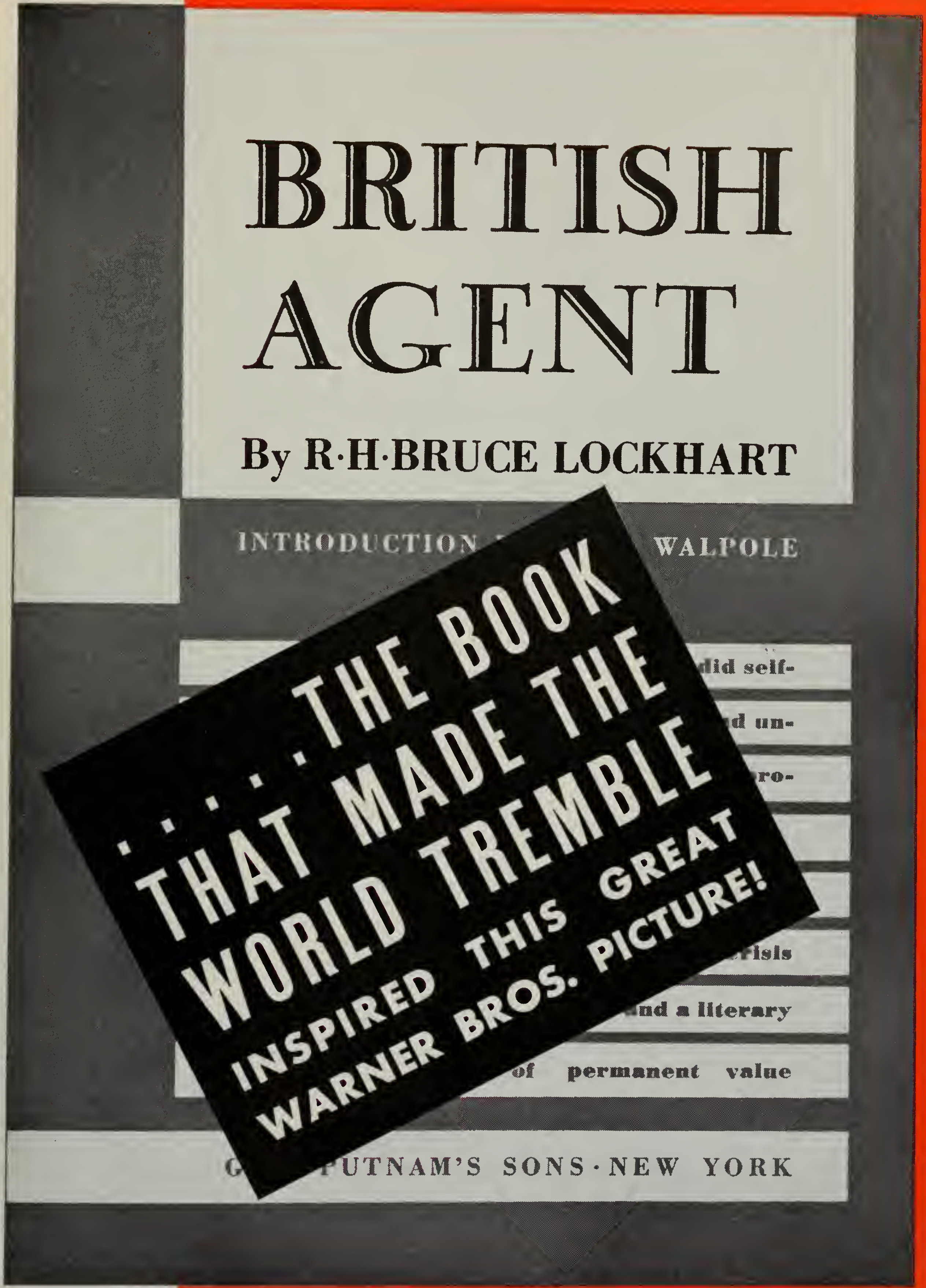
LONDON, Sept. 5.—Due to the illness of his wife, Louis B. Mayer is returning to New York on the *Paris* Saturday. A luncheon by the Cinematograph Exhibitors' Ass'n scheduled for Tuesday was canceled.

Bowman at New Post

Edgar S. Bowman, former treasurer and general manager of Automatic Ticket Register, Inc., has assumed the post of sales manager of the Silent American Ticket Machine Co.

O'Reilly Returns Today

Charles L. O'Reilly returns today from Buffalo after a brief visit.



BRITISH AGENT

By R·H·BRUCE LOCKHART

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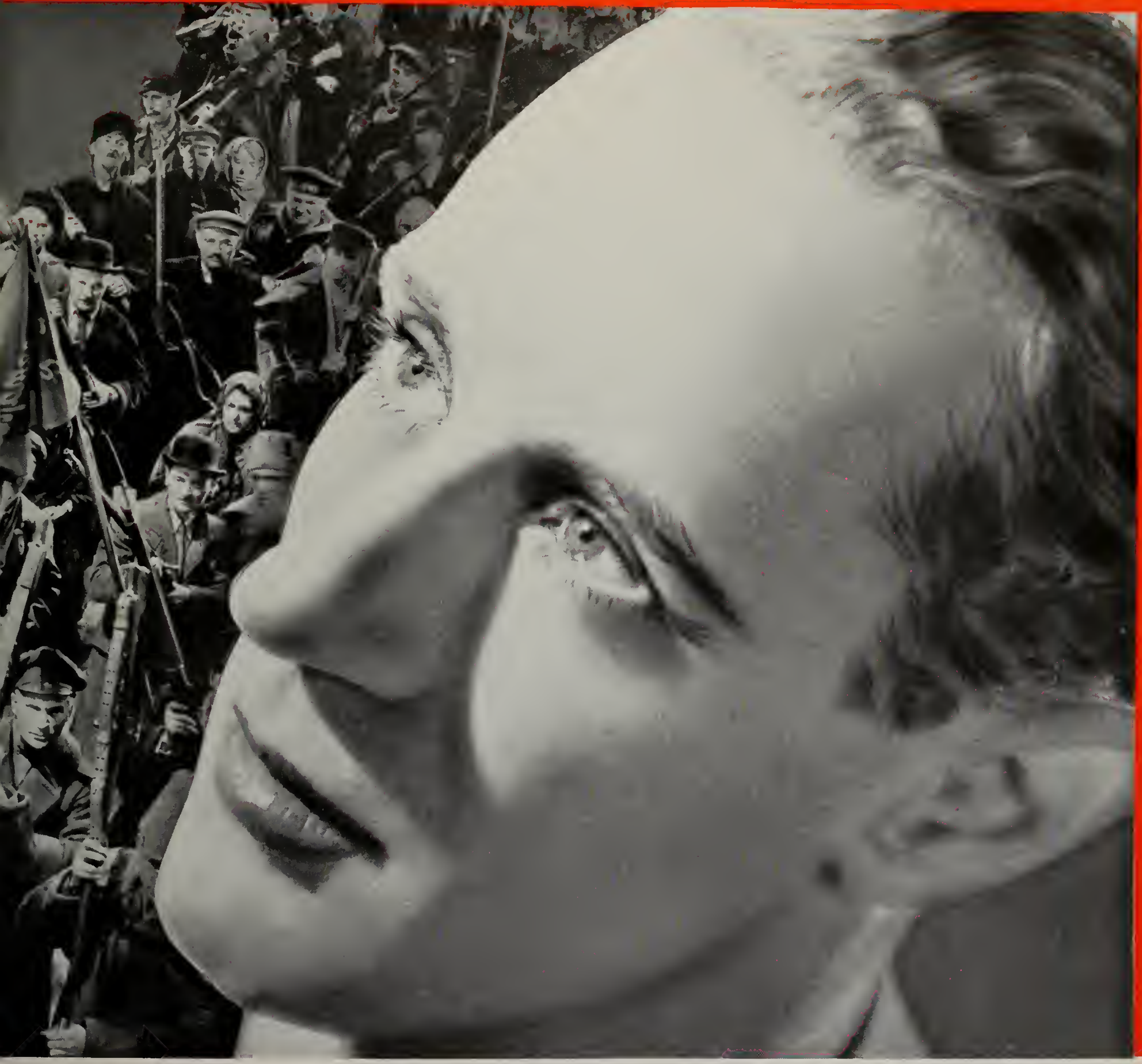

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. . . . and you'll admit Warner Bros. know how!

"Cellini" Is $14,000 High In Pittsburgh

PITTSBURGH, Sept. 5.—High gross here last week went to "Affairs of Cellini." The $14,000 take at the Penn was over normal by $2,000.

A dual, "Side Streets" and "Romance in the Rain," also was a strong draw, getting $6,500 at the Warner.

With the Fulton open and the Alvin and Pitt set to open this week, the city again has six first runs. Only three have operated for the past three months.

At the Stanley, "One More River," booked in for only five days in order to give "Dames" an early start, did around $7,000, and while hardly in the black, this figure was better than expected, since "River" had previously been penciled into the Warner as part of a double bill.

Total grosses in four first run houses were $31,500. Average is $30,000.

Estimated takings for the week ending Aug. 30:

"SHE LEARNED ABOUT SAILORS" (Fox)
FULTON (1,750), 15c-40c, 6 days. **Gross:** $4,000. (Average, $5,000)

"AFFAIRS OF CELLINI" (U. A.)
PENN 3,300, 25c-50c, 6 days. **Gross:** $14,000. (Average, $12,000)

"ONE MORE RIVER" (Univ.)
STANLEY—(3,600), 25c-50c, 5 days. **Gross:** $7,000. (Average, for six days, $9,000)

"SIDE STREETS" (Warners)
"ROMANCE IN THE RAIN" (Univ.)
WARNER—(2,000), 25c-40c, 6 days. **Gross:** $6,500. (Average, $5,000)

"Treasure Island" $8,500 in Seattle

SEATTLE, Sept. 5.—This town went for "Treasure Island" in a big way, with the result that the Fifth Avenue gross was $8,500, over the line by $1,500.

"Whirlpool" and "The Morning After" took a good $4,100 at the Liberty. The weather was hot, but a Potlatch celebration brought a number of out-of-town visitors into the city.

Total first run business was $30,900. Average is $3,100.

Estimated takings for the week ending Aug. 31:

"PERSONALITY KID" (Warners)
"NO RANSOM" (Liberty)
BLUE MOUSE—(950), 15c-25c-35c, 7 days. **Gross:** $3,200. (Average, $3,500)

"TREASURE ISLAND" (M-G-M)
FIFTH AVENUE—(2,450), 25c-40c-55c, 7 days. **Gross:** $8,500. (Average, $7,000)

"WHIRLPOOL" (Col.)
'THE MORNING AFTER" (Col.)
LIBERTY—(1,800), 10c-15c-25c, 7 days. **Gross:** $4,100. (Average, $4,000)

"BULLDOG DRUMMOND STRIKES "BACK" (U. A.)
MUSIC BOX—(950), 25c-40c-55c, 7 days. (Extended run from Music Hall.) **Gross:** $3,700. (Average, $4,000)

"AFFAIRS OF CELLINI" (U. A.)
MUSIC HALL—(2,275), 25c-40c-55c, 7 days. **Gross:** $6,000. (Average, $6,500)

"STAMBOUL QUEST" (M-G-M)
PARAMOUNT—(3,050), 25c-35c, 7 days. Vaudeville headed by Billy Barty. **Gross:** $5,400. (Average, $6,000)

Handling "Bank Nights"

KANSAS CITY, Sept. 5.—C. C. Payne, former Des Moines film salesman, has been named "Bank Night" representative for Kansas by R. W. McEwan, territorial distributor.

"Cat's Paw" Sensational Frisco Draw

SAN FRANCISCO, Sept. 5.—"The Cat's Paw" was something of a sensation at the Warfield last week. It piled up $26,000, over par by $5,000.

The Orpheum reopened with "One Night of Love" and a premiere attended by several stars. Most of the other first runs couldn't stand the competition.

Total first run business was $67,000. Average is $69,000.

Estimated takings:

Week Ending Aug. 28:

"THE LADY IS WILLING" (Col.)
GOLDEN GATE—(2,800), 25c-35c-40c, 7 days. Stage; band. **Gross:** $11,500. (Average, $13,000)

Week Ending Aug. 29:

"KING KELLY OF THE U. S. A." (Monogram)
"WOMAN WHO DARED" (Ind.)
FOX—(4,600), 10c-15c-25c, 7 days. **Gross:** $6,000. (Average, $7,000)

"THE MAN WITH TWO FACES" (Warners)
"YOU BELONG TO ME" (Para.)
PARAMOUNT (2,670), 15c-35c-40c-65c, 7 days. **Gross:** $10,000. (Average, $12,000)

"SHE LOVES ME NOT" (Para.)
ST. FRANCIS (1,400), 15c-25c-40c-65c, 7 days. **Gross:** $7,000. (Average, $8,000)

"THE CAT'S PAW" (Fox)
WARFIELD (2,700), 25c-35c-55c-65c, 7 days. Stage: Vaudeville. **Gross:** $26,000. (Average, $21,000)

Week Ending Aug. 25:

"HOUSE OF ROTHSCHILD" (U. A.)
UNITED ARTISTS (1,200), 15c-35c-55c, 7 days, 4th week. **Gross:** $6,500. (Average, $8,000)

"Big Moment" Good Draw in Portland

PORTLAND, Sept. 5.—Continued hot weather held down grosses somewhat, although holding over par.

"Big Moment," plus extra good stage show at Hamrick's Music Box, had a take of $3,500, or $500 over average.

"She Loves Me Not" brought the Crosby fans to Paramount, with "Hell Cat" as incidental, and a total draw of $5,800, or $800 over normal.

Total first run business was $23,500. Average is $22,000.

Estimated takings for the week ending Aug. 30:

"BULL DOG DRUMMOND STRIKES BACK" (U. A.)
BROADWAY (1,912), 25c-35c-40c, 7 days. **Gross:** $5,000. (Average, $5,000)

"THEIR BIG MOMENT" (Radio)
HAMRICK'S MUSIC BOX—(2,000), 25c-35c-40c, 7 days. Stage Show. **Gross:** $3,500. (Average, $3,000)

"HOUSEWIFE" (Warners)
"ADVENTURE GIRL" (Radio)
HAMRICK'S ORIENTAL—(2,040), 25c, 7 days. **Gross:** $2,500. (Average, $2,000)

"UNKNOWN BLONDE" (Majestic)
PANTAGES—(1,700), 15c-25c, 7 days. Stage show. **Gross:** $1,700. (Average, $2,000)

"SHE LOVES ME NOT" (Para.)
"HELL CAT" (Col.)
PARAMOUNT—(3,008), 25c-35c-40c, 7 days. **Gross:** $5,800. (Average, $5,000)

"AFFAIRS OF CELLINI" (U. A.)
UNITED ARTISTS—(945), 25c-35c-40c, 7 days. **Gross:** $5,000. (Average, $5,000)

Crosby Settles on Coast

HOLLYWOOD, Sept. 5.—Bing Crosby has closed his New York office and will henceforth conduct all his business from the coast. Crosby's father and brother, Everett, are handling his affairs.

Prisoners End Fire

Liberty, Mo., Sept. 5. — Prisoners in the Clay County jail here, released to fight a disastrous fire in the Liberty business district, saved the Plaza Theatre from destruction by turning a three-inch hose on its roof when flying sparks ignited it. The jail is next to the theatre.

The Plaza is closed for repairs. It is under lease to Commonwealth Theatres and sub-leased by M. S. Heath.

'River' $8,900 Over on Loop, Doing $43,500

CHICAGO, Sept. 5. — The fair crowds, plus favorable weather, brought rejoicing here last week. "One More River," at the Chicago topped the week's grosses at $43,500, which is $8,900 over average. The new B. & K. Apollo, which opened Aug 23, pulled $13,000 in nine days with "The Scarlet Empress." The Palace was $2,000 over on "Down to Their Last Yacht," which did $24,000, with much credit for the fine showing going to the dance duo of Veloz and Yolanda.

All the other spots were above average, except the United Artists, which, at $14,000 on the second week of "The Affairs of Cellini," was $3,000 under. Another holdover was "Treasure Island" at the Roosevelt. The film played to $15,000, $4,000 over average.

Total first run business was $149,900. Average: $114,600.

Estimated takings for weeks indicated:

"ONE MORE RIVER" (Univ.)
CHICAGO—(4,000), 35c-50c-68c, 7 days. Earl Burnett & orchestra, Biltmore Trio, Ruth Lee, Stanley Hickman on stage. **Gross:** $43,500. (Average, $34,600.) First week ended Aug. 30.

"KISS AND MAKE-UP" (Para.)
ORIENTAL (3,940), 25c-40c, 7 days. Sally Rand, Cookie Bowers, Ted Cook, Ching Ling Foo, Jr., Carter Bros., Danne Sisters on stage. **Gross:** $21,000. (Average, $15,000.) First week ended Aug. 30.

"AFFAIRS OF CELLINI" (U. A.)
UNITED ARTISTS—(1,700), 30c-40c-60c, 7 days. **Gross:** $14,000. (Average, $17,000.) Second week ended Aug. 31.

"DOWN TO THEIR LAST YACHT" (Radio)
PALACE—(2,509), 25c-35c-50c, 7 days. Veloz & Yolanda, Gertrude Niesen, Harry Rose, Sidney Page, Great Gretanos on stage. **Gross:** $24,000. (Average, $22,000.) First week ended Aug. 30.

"TREASURE ISLAND" (M-G-M)
ROOSEVELT—(1,591), 25c-35c-50c, 7 days. **Gross:** $15,000. (Average, $11,000.) Second week ended Aug. 31.

"SCARLET EMPRESS" (Para.)
APOLLO—(1,400), 25c-35c-50c, 9 days. **Gross:** $13,000. First week ended Aug. 29.

"WHOM THE GODS DESTROY" (Col.)
STATE-LAKE—(2,776), 20c-25c-35c, 7 days. Faith Bacon fan dance on stage. **Gross:** $18,500. A(verage, $15,000.) First week ended Sept. 1.

Milt Smith on Own

PITTSBURGH, Sept. 5.—Milt Smith, manager of Warners' Belmar, has resigned to go into business on his own in the east. Paul Shell, of the Ritz, moves to the Belmar and Ed ("Hippo") Segal, assistant manager of the Etna, has been promoted to managership of the Ritz.

"Cat's Paw" $24,000 Hit, Philadelphia

PHILADELPHIA, Sept. 5.—The "Cat's Paw," "Dames" and a cool weather break sent Philly grosses up in the profit regions and gave the best general total in weeks.

The Lloyd film, at the Fox, doubled the average with $24,000 and stays a second. Lloyd's presence in town won him and the picture much space from the scribes. "Dames" clicked nicely at the Stanley with a good $14,500, with business apparently on the build for the second week-end at least. Both films are listed for two weeks.

Rest of the town was off, with "Cleopatra" slumping in its second Boyd week.

Total first run business was $67,200. Average is $59,900.

Estimated takings for the week ending Aug. 30:

"NOTORIOUS SOPHIE LANG" (Para.) (Second Run)
ARCADIA (600), 25c-40c-50c, 6 days. **Gross:** $1,400. (Average, $2,400)

"CLEOPATRA" (Para.)
BOYD (2,400), 40c-55c-65c, 6 days, 2nd week. **Gross:** $7,500. (Average, $12,000)

' HAT, COAT, GLOVE" (Radio)
EARLE (2,000), 40c-55c-65c, 6 days. Stage: Tommy Manahan orchestra, Bert Walton, Lew Duthers & Co., Mason and Yvonne; Carr Bros. and Betty. **Gross:** $12,000. (Average, $12,000)

"THE CAT'S PAW" (Fox)
FOX—(3,000), 30c-40c-65c, 6 days. Stage: Borrah Minnevitch and Rascals; Alexander and Santos. **Gross:** $24,000. (Average, $12,000)

"STRAIGHT IS THE WAY" (M-G-M)
KARLTON—(1,000), 30c-40c-50c, 6 days. **Gross:** $2,600. (Average, $3,500)

"DAMES" (Warners)
STANLEY—(3,700), 40c-55c-65c, 6 days. **Gross:** $14,500. (Average, $12,000)

"PARIS INTERLUDE" (M-G-M)
STANTON—(1,700), 30c-40c-55c, 6 days. **Gross:** $5,200. (Average, $6,000)

"Island" Grosses $9,000, Montreal

MONTREAL, Sept. 5.—Further return to good business developed last week. The Canadian premiere of "Treasure Island" brought the Capitol to $9,000 par, despite an inclination to think that it was a kids' picture and juveniles are not admitted to theatres hereabouts legally. "The Cat's Paw" and "Let's Try Again" represented $9,500 to the Palace where average is $11,000. Repeat of "Bulldog Drummond Strikes Back" gave $5,000 to the Princess as against the first week of $8,000. Nights were cool.

Total first run business was $35,500. Average is $43,000.

Estimated takings for the week ending Sept. 5:

"TREASURE ISLAND" (M-G-M)
CAPITOL—(2,547), 25c-35c-40c-50c-60c, 7 days. **Gross:** $9,000. (Average, $9,000)

"COCKEYED CAVALIERS" (U. A.)
IMPERIAL—(1,914), 25c-40c-50c, 7 days. Stage: Del O'Dell; The Parisian Four; Bobby Cardonie & Co.; Lee Shelley; 12 Imperialettes. **Gross:** $4,500. (Average, $6,500)

"PARIS INTERLUDE" (M-G-M)
"EMBARRASSING MOMENTS" (Univ.)
LOEW'S—(3,115), 25c-35c-50c-60c-75c, 7 days. **Gross:** $7,500. (Average, $10,500)

"THE CAT'S PAW" (Fox)
"LET'S TRY AGAIN" (Radio)
PALACE—(2,600), 25c-35c-50c-60c-75c, 7 days. **Gross:** $9,500. (Average, $11,000)

"BULLDOG DRUMMOND STRIKES BACK" (U. A.)
"HIS GREATEST GAMBLE" (Radio)
PRINCESS—(2,272), 25c-35c-50c-65c, 7 days. 2nd week. **Gross:** $5,000. First week: $8,000. (Average, $6,000)

Grosses Jump In K. C. with Price Boosts

Kansas City, Sept. 5.—Banner grosses accompanied price increases at Loew's Midland and the Publix Newman to 40 cents nights from the previous tariff of 25 cents.

The Midland's $19,000 on "Treasure Island" was the week's pace-setter. This is $9,000 above the prevailing average for the lower admission. "She Loves Me Not," at $13,000, gave the Newman its top money in several months, more than doubling the par for the Newman's low-price dual feature policy.

The Tower benefited by the *Journal-Post's* front page blast against its stage show, which proved box-office publicity and swelled the gross to $8,300. The screen attraction was "Blind Date."

The Mainstreet topped off its 25-cent policy with a sub-normal take of $4,500 on "The Dragon Murder Case," while the Uptown cut the run of "The World Moves On" to five days to make way for "Handy Andy," ending the period with $2,500.

Total first run business was $47,300.

Estimated takings:

Week Ending Aug. 29:

"THE WORLD MOVES ON" (Fox)

UPTOWN—(2,000), 25c, 5 days. **Gross:** $2,500. (Average, 5 days, $2,800)

Week Ending Aug. 30:

"THE DRAGON MURDER CASE" (Radio)

MAINSTREET—(3,100), 25c, 7 days, plus Saturday late show. **Gross:** $4,500. (Average, $6,000)

"TREASURE ISLAND" (M-G-M)

MIDLAND—(4,000), 25c-40c, 7 days, plus Saturday midnight show. **Gross:** $19,000. (Average for previous 25-cent admission, $10,000)

"SHE LOVES ME NOT" (Para.)

NEWMAN—(1,800), 25c-40c, 7 days, plus Saturday midnight show. **Gross:** $13,000. (Average for previous 25-cent admission, $5,500)

"BLIND DATE" (Col.)

TOWER—(2,200), 25c, 7 days, plus Saturday midnight show. Stage: "Puttin' On the Dog," featuring Six O'Connors, Petch & Deauville, Lull & Joy, Maxine & Bobby. **Gross:** $8,300. (Average, $6,500)

"Cat's Paw" Pulls $6,000, Oklahoma

Oklahoma City, Sept. 5.—"The Cat's Paw" ran away with the big business here last week. It pulled $6,000, up by $2,000, at the Midwest.

"Where Sinners Meet" at the Capitol was a par draw. "Housewife" took $2,000 at the Liberty in four days. This is a normal gross for seven days.

Total first run business was $15,500. Average is $13,500.

Estimated takings for the week ending Sept. 1:

"BULLDOG DRUMMOND STRIKES BACK" (U. A.)

CRITERION—(1,700), 10c-20c-36c-41c-56c, 7 days. **Gross:** $4,000. (Average, $5,000)

"THE CAT'S PAW" (Fox)

MIDWEST—(1,500), 10c-26c-36c-56c, 7 days. **Gross:** $6,000. (Average, $4,000)

"WHERE SINNERS MEET" (Radio)

CAPITOL—(1,200), 10c-20c-26c-36c-41c, 7 days. **Gross:** $2,500. (Average, $2,500)

"HOUSEWIFE" (Warners)

LIBERTY—(1,500), 10c-15c-26c-36c, 4 days. Stage show. **Gross:** $2,000. (Average week, $2,000)

"LET'S TALK IT OVER" (Univ.)

LIBERTY—(1,500), 10c-15c-26c-36c, 3 days. **Gross:** $1,000. (Average week, $2,000)

Etiquette Note

Sault Ste. Marie, Ont., Sept. 5.—J. H. Chambers, proprietor of the King's Theatre, Sault Ste. Marie, Ont., is traveling in hard luck. After spending $12,000 on the theatre in the past couple of years, Chambers has been ordered by the City Council to vacate the building by Sept. 15 because he owes purchase payments and taxes to the city from whom he bought the house. The city has ruled that he should have made payments before improving the theatre.

"Handy Andy" Washington's Big Repeater

Washington, Sept. 5.—On a return engagement at Loew's Columbia "Handy Andy" demonstrated its continued drawing powers here by piling up a gross of $3,700. This topped par by $600.

"The Girl From Missouri" reached $19,300 at Loew's Fox, but this was $1,200 under the line.

Total grosses were $52,600. Average is $71,200.

Estimated takings for the week ending Aug. 30:

"LADIES SHOULD LISTEN" (Para.)

EARLE—(2,218), 25c-77c, 7 days. Stage: Mitzi Mayfair, 12 Aristocrats, Rita DeLano; George & Arthur Dormonde; Arthur Boran; Jack Powell. **Gross:** $13,800. (Average, $17,600)

"HANDY ANDY" (Fox)

LOEW'S COLUMBIA—(1,265), 25c-40c, 7 days (return engagement). **Gross:** $3,700. (Average, $3,100)

"THE GIRL FROM MISSOURI" (M-G-M)

LOEW'S FOX—(3,434), 25c-66c, 7 days. Stage: Myrt & Marge; Roy Smeck; Daphne Pollard; Lee Twins, Rio & Elliott. **Gross:** $19,300. (Average, $20,500)

"TREASURE ISLAND" (M-G-M)

LOEW'S PALACE—(2,390), 35c-77c, 7 days, 2nd week. **Gross:** $5,100. (Average, $14,500)

"FRIENDS OF MR. SWEENEY" (War.)

METROPOLITAN—(1,591), 25c-40c, 7 days. **Gross:** $3,300. (Average, $4,100)

"THE LADY IS WILLING" (Col.)

RKO-KEITH'S—(1,830), 25c-55c, 7 days. **Gross:** $7,400. (Average, $11,400)

"Cat's Paw" $4,000 Hit, Indianapolis

Indianapolis, Sept. 5.—"The Cat's Paw" was the big box-office noise here last week. The $4,000 take at the Apollo was nearly double normal.

"Hideout" stood up in fine shape with $5,000 at the Palace and "The Scarlet Empress" was a par $4,000 grosser at the Circle.

Total first run business was $16,500. Average is $15,000.

Estimated takings for the week ending Sept. 1:

"CAT'S PAW" (Fox)

APOLLO—(1,171), 25c-40c, 7 days. **Gross:** $4,000. (Average, $2,500)

"THE SCARLET EMPRESS" (Para.)

CIRCLE—(2,638), 25c-40c, 7 days. **Gross:** $4,000. (Average, $4,000)

"THE LADY IS WILLING" (Col.)

LYRIC—(1,896), 25c-40c, 7 days. **Gross:** $3,500. (Average, $4,000)

"HIDEOUT" (M-G-M)

PALACE—(2,431), 25c-40c, 7 days. **Gross:** $5,000. (Average, $4,500)

"World" and Show Detroit Top, $21,600

Detroit, Sept. 5.—Helped by a seven-act stage show, "The World Moves On" reached $21,600 at the Fox last week. This is up by $6,600. Cool weather was a factor.

"Dames" went to $23,200, over normal by $3,200, at the Michigan. There were seven acts on the stage bill. "Treasure Island" held up to $6,700 in its second week at United Artists.

Total first run business was $56,200. Average is $55,000.

Estimated takings for the week ending Aug. 30:

"STRAIGHT IS THE WAY" (M-G-M)

FISHER—(2,975), 15c-50c, 7 days. **Gross:** $4,700. (Average, $10,000)

"THE WORLD MOVES ON" (Fox)

FOX—(5,100), 15c-50c, 7 days. Stage: Johnny Perkins, Ruth Petty, George Tapps, Gertrude Briefer, Frank Connors and Patricia Bowman. **Gross:** $21,600. (Average, $15,000)

"DAMES" (Warners)

MICHIGAN—(4,100), 15c-50c, 7 days. Stage: Collins and Peterson, plus Carolyn Marsh. **Gross:** $23,200. (Average, $20,000)

'TREASURE ISLAND" (M-G-M)

UNITED ARTISTS—(2,070), 25c-50c, 2nd week, 7 days. **Gross:** $6,700. (Average, $10,000)

Jump Fireside Capital

Dover, Sept. 5.—Fireside Players, Inc., of Baltimore, has increased its capital from $1,000 to $2,000 with the State Department. Troy S. Ashcraft of Camden, Del., is agent for the corporation.

"Treasure" Is Twin Cities' High Grosser

Minneapolis, Sept. 5.—"Treasure Island" found pay dirt in both Twin Cities, doing $6,500 in each.

Total first run grosses in Minneapolis were $20,500. Average is $18,500. Total in St. Paul was $16,000. Average is $14,000.

Estimated takings:

Minneapolis:

Week Ending Aug. 30:

"HOUSEWIFE" (Warners)

CENTURY—(1,000), 25c-40c, 7 days. **Gross:** $4,000. (Average, $4,000)

"BEYOND BENGAL" (Showmen's)

LYRIC—(1,000), 20c-25c, 7 days. **Gross:** $1,500. (Average, $1,500)

Week Ending Aug. 31:

"DRAGON MURDER CASE" (F. N.)

RKO ORPHEUM—(2,900), 25c-50c, 7 days. **Gross:** $6,000. (Average, $5,500)

"TREASURE ISLAND" (M-G-M)

STATE—(2,300), 25c-40c, 7 days. **Gross:** $6,500. (Average, $5,500)

"HALSINGAR" (Swedish)

WORLD—(400), 25c-75c, 7 days, 2nd week. **Gross:** $2,500. (Average, $2,500)

St. Paul:

Week Ending Aug. 30:

"TREASURE ISLAND" (M-G-M)

PARAMOUNT—(2,300), 25c-40c, 7 days. **Gross:** $6,500. (Average, $5,500)

"HOUSEWIFE" (Warners)

RIVIERA—(1,200), 25c-40c, 7 days. **Gross:** $3,500. (Average, $3,500)

'THE DRAGON MURDER CASE" (F. N.)

RKO ORPHEUM—(2,000), 20c-40c, 7 days. **Gross:** $4,500. (Average, $4,000)

"HE WAS HER MAN" (Warners)

TOWER—(1,000), 15c-25c, 7 days. **Gross:** $1,500. (Average, $1,500)

A NEW

TYPE OF SCREENSHOW!

•

30 BIG STARS

of screen, stage and radio, all doing their stuff to make a grand and glorious entertainment even more grand and glorious! . . . Tons and tons of talent poured into a swift-moving STORY!

★ EDMUND LOWE
★ GLORIA STUART
★ PAUL LUKAS
★ CHESTER MORRIS
★ BINNIE BARNES
★ KARLOFF
★ GRAHAM McNAMEE
★ ALICE WHITE
★ VICTOR MOORE
★ HUGH O'CONNELL
★ STERLING HOLLOWAY
★ DOWNEY SISTERS
★ DOUGLAS FOWLEY
★ HELEN VINSON
★ ALEXANDER WOOLLCOTT

★ RUTH ETTING
★ PHIL BAKER
★ ETHEL WATERS
★ DOUGLASS MONTGOMERY
★ ROGER PRYOR
★ GENE AUSTIN
★ BELA LUGOSI
★ JUNE KNIGHT
★ ANDY DEVINE
★ GUS ARNHEIM'S ORCHESTRA
★ HENRY ARMETTA
★ BEAL STREET BOYS
★ WINI SHAW
★ CANDY AND COCO
★ THREE STOOGES

Story by Jerry Wald and Phil Epstein. Screenplay by Rian James. Produced by Carl Laemmle, Jr. Directed by Karl Freund. Presented by CARL LAEMMLE.

UNIVERSAL'S MUSICOLOSSAL MELODY-DRAMA

GAB

Looking Over Shorts

“Phil Spitalny and His Musical Queens”

(*Vitaphone*)

A girl band is led by Phil Spitalny in several orchestral and choral numbers, the most striking of which is the rendition of “Let's Fall in Love.” Other numbers played are “Bugle Call Rag,” “Dinah,” and “Hungarian Rhapsody.” Mildly entertaining. Running time, 10 mins.

“Poisoned Ivory”

(*Radio*)

An Edgar Kennedy domestic battle staged in a mountain cabin at Christmas time. Edgar blows up when he gets a tie from his mother-in-law and his brother-in-law gets a radio. He even has a row with the family doctor and his wife.

The excitement speeds up when Florence Lake gives Edgar his medicine and then discovers a bottle of poison on the table. It's photographic developer left by the brother. Edgar is all right, but the family think he is going to die and convince him he is. When the doctor arrives, still mad with Edgar, he fails to clear up the situation.

Kennedy fans will like it. A preview audience gave it a noisy reception. Running time, 21 mins.

“Dumb-Belle Letters”

(*Van Beuren-Radio*)

Juliet Lowell has taken nine more letters out of her collection. They are presented as real. Whether they're real or not, they're funny. Audiences howl. Running time, 4 mins.

“Eyes on Russia”

(*Van Beuren-Radio*)

These are scenes made by Margaret Bourke White all the way from the Caucasus to Moscow for the Vagabond Adventure Series. Farm life with its modern mechanics, workers' clubs, street scenes and other phases of Russian life are shown. The running comment by Miss White could stand considerable improvement. Running time, 11 mins.

“Peculiar Penguins”

(*Walt Disney-U. A.*)

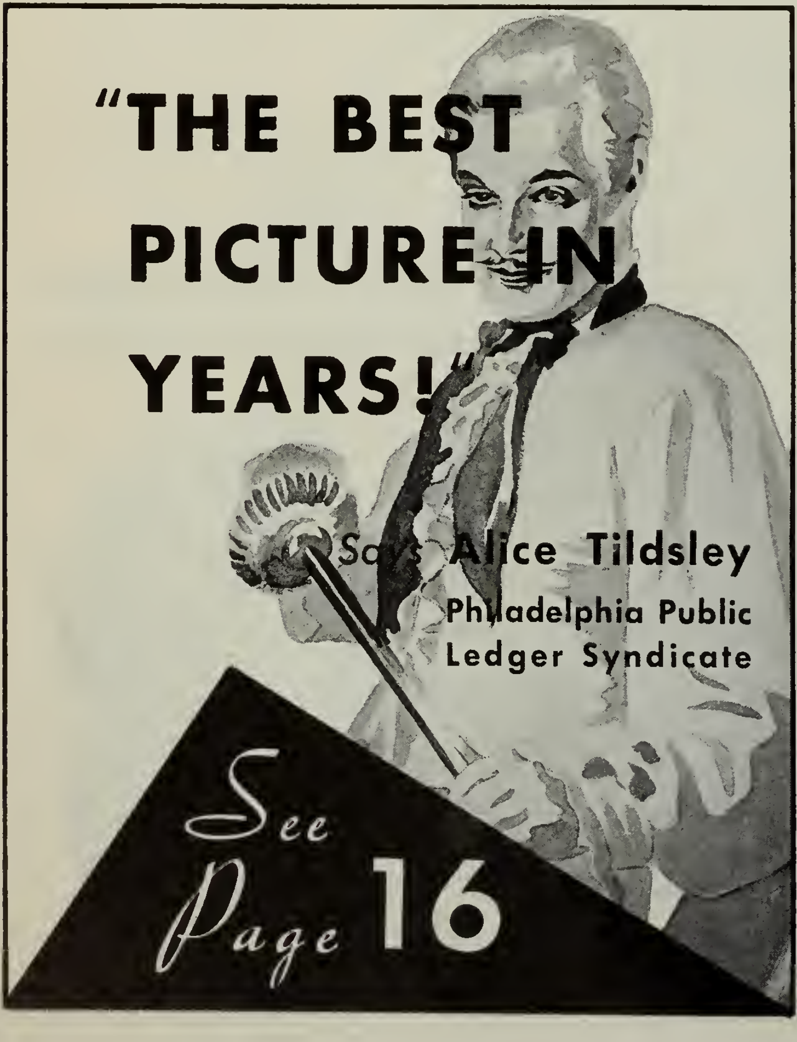
Walt Disney comes through again with another artistic animation, entertaining and novel. Technicolor effects are outstanding, especially the rainbow etchings.

Peter arouses the ire of his sweetheart when a puffer fish he has given her becomes so playful after being devoured that it annoys Polly to distraction. Peter makes up for the faux pas when he rescues his fair lady from a shark. Running time, 8 mins.

“Guess Stars”

(*Vitaphone*)

With a story that allows the Radio Ramblers to demonstrate their amazing ability at impersonations of famous radio performers, this short should please any audience. Imitations of Chevalier, Vallee, Rubinoff, Dick Powell and John McCormack are featured. Running time, 9 mins.



“Everything Ducky”

(*Radio*)

Clark and McCullough, aided by Eddie Gribbon, Joyce Compton and Maude Truax, go through some high powered nonsense trying to demonstrate how to cook in their patented aluminum ware.

In trying to get lunch they cook Gribbon's pet duck, which has a bell around its neck. Gribbon gets the neck and the bell on his plate and a riot starts.

As a laugh-provoker it stands up well with previous Clark and McCullough efforts. Running time, 21 mins.

“Ilha”

(*Tapernoux*)

This is a gorgeous piece of camera work. The accompanying narrative in French, but it would be good without any narrative. The cameraman has caught the lazy poetry of sailing in the tropics and the tempo changes only slightly when a tramp steamer arrives at Saint Thomas, a Portuguese Island, in the Gulf of Guinea near the French colony of Gabon. It was produced by Rene Ginet.

Scenes cover the gathering of cocoa, native dances, magnificent sunsets and native life. It is very much worth while. Running time, 36 mins.

“Grandfather's Clock”

(*Van Beuren-Radio*)

One of the Burt Gillett “Toddle Tales,” a combination of actual photography and cartoon. It starts with two children playing with soap bubbles in front of a clock. They bang an alarm clock and the big clock tells them what happens to little clocks. The cartoon antics then begin.

Clocks play football until one is injured and repaired. Very interesting for children. Running time, 10 mins.

‘The Old Maid's Mistake’

(*Radio*)

Walter Catlett is up to his usual tricks as the manager of a combination vaudeville-picture house who puts on a show for Emma Ray, Katherine Ward and Dot Farley when they tell him the members of their club want a dress rehearsal. A swell show is put on for the trio and when it comes to a showdown on the club's membership, the comic learns the three ladies constitute the entire roster.

Produced by Lou Brock and directed by Al Boasberg, the 20-minute subject has its funny moments.

“Honkey-Donkey”

(*Roach-M-G-M*)

This latest of the “Our Gang” series, with Roach's new recruits, should please all audiences. It has some of the original members of the “Gang” to aid the newcomers in maintaining the Roach standard. The story concerns the “poor little rich boy” that gets mixed up with the gang and their trick mule, brings them into his palatial home and nearly wrecks the place when the mule runs amuck. Spanky provides most of the laughs. Running time, 20 mins.

“The Girl at the Ironing Board”

(*Vitaphone*)

This is a burlesque on the number “The Girl at the Ironing Board” from “Dames.” It depicts the lives and loves of underwear and the like in a laundry after closing time. The various situations which are brought about by the antics of the three principal characters form the basis for an entertaining little melodrama and interesting cartoon comedy. Running time, 7 mins.

“Good Time Henry”

(*Universal*)

A rollicking, rib-tickling short that should please any audience. Henry Armetta, as a reformed playboy, has to step out once more with Hale Hamilton, much against his wishes, for business reasons. Fear of discovery by his wife and regret for having kicked over the traces once more throws him into numerous and laugh-provoking comedy situations. Running time, 21 mins.

“Attention, Suckers”

(*M-G-M*)

HOLLYWOOD, Sept. 5. — “Attention Suckers,” produced by Pete Smith, is an interesting short exposing the card tricks of dealing and playing as utilized by professional card sharks. Clever use of a mirror to detect swift hand maneuvers is particularly novel. The “waterfall” and “accordeon’” shuffles, the three card monte, and trick of dealing yourself four aces, all revealed. Will appeal to any audience. Running time, 9 mins.

“Cracked Shots”

(*Radio*)

With Tom Kennedy, Will Stanton, Helen Brock, Nat Carr and Ed Dearing, this short should draw laughs from practically any audience. The story concerns Kennedy, a motorman with an unfortunate failing for shooting craps, who loses his rent money and tries to win it back in a trap-shooting contest. It winds up with all the contestants in the shoot firing away at each other's automobile instead of at the clay pigeons. Running time, 20 mins.

“A Journey in Flanders”

(*Fox*)

Another of the Magic Carpet series that takes the audience through most of the principal cities and waterways of Belgium in a very interesting manner. Inspiring views of Flemish architecture, canals and their peculiar boats, native songs and costumes and the odd clock towers peculiar to Belgium are shown. Shots of Antwerp's diamond cutters wind up the reel. Very entertaining. Running time, 10 mins.

“Held for Ransom”

(*Jameson Prod.*)

A visual history of the famous Urschel kidnapping case with scenes that appear to have been staged and studded with clips from various newsreels, this short subject should appeal to most audiences. The entire case, from the actual kidnapping to the final sentencing of the culprits by the court, is traced. Particularly striking is the speech delivered by the judge as he passes sentence. Running time, 13 mins.

◂ Purely Personal ▸

ARTHUR SANCHEZ of Trans-Oceanic Film Export Co. is on his way to Europe aboard the *Champlain* on a business trip. He will be away six weeks.

W. RAY JOHNSTON, en route here from the coast by easy stages, will make a final stop-over in Chicago tomorrow and is due in town the first of next week.

LEO BLANK, Warners' Minneapolis branch manager, is here conferring with NORMAN H. MORAY, Vitaphone executive in charge of shorts and trailers.

ELMER MCGOVERN has been signed to edit a Spanish feature, "Romance Tropical," being filmed in Porto Rico by Latin Artists Pictures Corp.

R. A. MCGUIRE is back at his desk at the Warner home office after an absence of seven weeks due to an attack of tonsilitis.

GEORGE M. COHAN will sing his latest song, "My Little Girl," in his next picture, "Gambling," now being made by HAROLD B. FRANKLIN.

E. W. HAMMONS, president of Educational, is on a vacation cruise on board the *Transylvania* and is expected to return in about 10 days.

ISABEL DAWN and BOYCE DEGRAW have sold an original, "Not on Your Life," to Warners.

LOU GOLDBERG has completed the adaptation on "The Crime of Mrs. Crespi."

JOHN W. HICKS, Paramount foreign manager, arrives from Europe today on the *Manhattan*.

LOUIS HYMAN, general manager of Principal, arrives today by plane from Hollywood with a print of "Chandu."

HOWARD S. CULLMAN last night entertained the entire cast of "Romance of a People."

BELLE BAKER sails Sept. 18 aboard the *Paris* for London, where she opens at the Palladium on Oct. 1.

RUTH GORDON, who appeared last for the Theatre Guild in "They Shall Not Die," has been signed by M-G-M.

TIM MCCOY has left Hollywood by motor for a personal appearance tour through the midwest.

VINA DELMAR has sold "The Day Never Came" to Fox.

BERTRAM BLOCK is back as head of the M-G-M scenario department.

Africa to Have Censors

WASHINGTON, Sept. 5.—Censorship makes its bow in French Equatorial Africa under a decree dated Aug. 5, reports Assistant Trade Commissioner Eugene A. Masuret, in Paris, to the U. S. Department of Commerce here. Under the decree, control will be exercized over films, phonographic disks, and the taking of motion pictures.

No film can be presented without the visa of the lieutenant governor of the colony where the film is to be shown.

Faye in Vallee Act

HOLLYWOOD, Sept. 5.—Alice Faye will leave next week for a week's appearance with Rudy Vallee and his band at the fair in Chicago.

MOTION PICTURE DAILY'S HOLLYWOOD PREVIEW

"Charlie Chan in London"

(Fox)

HOLLYWOOD, Sept. 5.—Another intriguing chapter in the series of Earl Derr Biggers' Chinese detective yarns. Mystery stories continue to hold immeasurable fascination for the reader. Likewise, this film keeps one on edge throughout trying to guess who may be the real murderer. Warner Oland as Chan continues his fine series of impersonations. His calmness, sure-footedness and final surprises make these roles outstanding.

Urged by Drue Leyton to save her brother from being hanged for a murder attributed to him, Oland forsakes a trip to China to stay in London and lend his assistance. He goes about his scenting in a quiet way, oftimes casting suspicion upon several principals, but saving the big surprise for the last few rounds.

There is the lovers' quarrel when Miss Leyton hears her sweetheart, Raymond Milland, tell Oland he believes Douglas Walton guilty. The only one who believes the convicted man's plea of innocence is his sister, Miss Leyton. She gets Chan to snoop around and after a series of unsuccessful events he finally lands his man. The lovers then make up.

Running time, 78 minutes.

Legion Looms Big In F. W. C. Parleys

DENVER, Sept. 5.—The Legion of Decency will be one of the major items for discussion at the annual convention of the intermountain division of Fox West Coast theatres to be held at the Broadmoor Hotel, Colorado Springs, Sept. 11-13.

About 40 will attend the meeting and will discuss and hear talks on theatre management, admission prices, "bank nights," advertising and exploitation, as well as new film deals and analysis of new product.

On the 11th a luncheon will be given at the Broadmoor, at which other theatre men, exchange managers and newspaper men will be guests.

Charles and Spyros Skouras have been invited to attend, but it is doubtful if they will be at the meeting. Rick Ricketson, division manager, will have charge of the convention.

Those Who Will Attend

In attendance from the Denver headquarters will be Ricketson, Wm. Steege, Harry Ashton, I. Weiner, Wm. Agren, Max Goldstein, Wm. Dollison and George Frantz.

Managers and assistants will include Frank Culp, Isis, Denver; Gerald Whitney, Mayan, Denver; J. E. Hughes, Imperial, Alliance, Neb.; Ray Davis, Curran, and Walter Jancke, Isis, Boulder, Colo.; Chet Miller, Lincoln, Charles Mann, Paramount, and Elwood Vorhees, Princess, Cheyenne, Wyo.; Harry Moore, Egyptian, Delta, Colo.; Mike Zalesny, Kiva, Durango, Colo.; Ed Marquand, America, Fort Collins, Colo.; Wilford William, Victory, Kemmerer, Wyo.; Henry Westerfield, Rio Grande, Las Cruces, N. M.; Mark Berkheimer, Coronado, Las Vegas, N. M.; Ed King, Rourke, La Junta, Colo.; George Paper, Longmont, Longmont, Colo.; Fred Glass, Fox, McCook, Neb.; Irving Simpson, Fox, Montrose, Colo.; Dave Davis, Paramount, North Platte, Neb.; A. J. Hamilton, Strand, Rawlins, Wyo.; Thomas Berta and Bill Powers, Lotus, Sheridan, Wyo.; Harold Jones, Fox, Sidney, Neb.; Carl Smith, Rialto, Sterling, Colo.; Don Sheedy, West, Trinidad, Colo.; Vern Austin, Rialto, Trinidad, Colo.; Paul Krier, Valencia, Walsenburg, Colo.; Frank Larson, Paramount, Idaho Falls, Idaho; A. D. Eichenlaub, Orpheum, Pocatello, Idaho; E. K. Taylor, Wilma, Missolula, Mont., and Paul Scates, Babcock, Billings, Mont.

Council Bluffs in Drive

COUNCIL BLUFFS, Ia., Sept. 5.—The local ministerial association has endorsed the campaign for clean films and is ready to launch a crusade here the motto of which will be: "The United Crusade for Christ to the Last Man." The drive will receive the aid of Omaha pastors and will run until Oct. 31.

Presnell Now Producer

HOLLYWOOD, Sept. 5.—After a 10-week absence Robert Presnell, former Warner writer, has returned to the studio as an associate producer.

"Destroy" and Show Leaders In Cleveland

CLEVELAND, Sept. 5.—Cool weather was a big help to grosses last week. Big money went to the RKO Palace where a stage show with "Whom the Gods Destroy" brought in $20,000. Average without a show is $10,000.

"The Grand Canary" topped normal by $1,500 on a $6,000 gross at Warners' Hippodrome. "Affairs of Cellini" was strong at $14,000 at Loew's State.

Total first run business was $44,000. Average is $29,000.

Estimated takings for the week ending Aug. 31:

"THE GRAND CANARY" (Fox)
WARNERS' HIPPODROME—(3,800), 30c-35c-44c, 7 days. **Gross:** $6,500. (Average, $5,000)

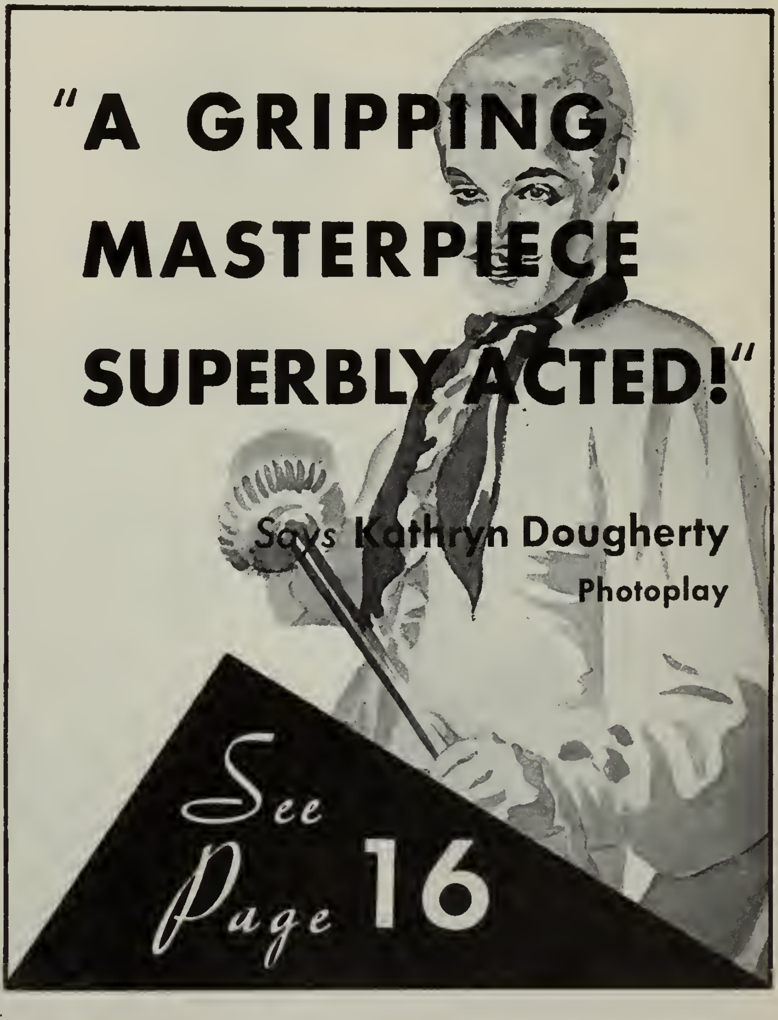
"WHOM THE GODS DESTROY" (Col.)
RKO PALACE—(3,100), 30c-40c-60c, 7 days. Stage: Ted Fio-Rito and band. **Gross:** $20,000. (Average, $10,000 without stage show)

"AFFAIRS OF CELLINI" (U. A.)
LOEW'S STATE—(3,400), 30c-35c-44c, 7 days. **Gross:** $14,000. (Average, $10,000)

"ELMER AND ELSIE" (Para.)
LOEW'S STILLMAN—(1,900), 20c-30c-40c, 7 days. **Gross:** $3,500. (Average, $4,000)

Para. Holds Lee Tracy

HOLLYWOOD, Sept. 5.—Paramount has renewed its option on Lee Tracy for another picture on the five-picture contract he now holds. The picture for which he was optioned will be his third.



Action Sought for Code Appeal Board

(*Continued from page* 1)

work which Clarence Darrow's Review Board failed to do.

Since the issuance of promising statements upon its organization, nothing has been heard of the board, and it has been suggested it is either not receiving any complaints or is taking no action.

In view of the fact that several hundred complaints were filed with the Darrow board, many of which were never reached during the tempestuous career of that organization, observers here do not believe that no protests have been filed with the NRA board, but no information is available as to what the board is doing, if anything.

Two Buffalo Orders Out

BUFFALO, Sept. 5.—Two cease and desist orders have been issued by the Buffalo grievance board. One was against Reliance Theatres, Inc., operators of the Palace at Lockport, on complaint of the Rialto, Schine house, against display of a refrigerator in the lobby and raffling of the refrigerator in the theatre by local merchants. The other complaint was brought by the Babcock, also Schine theatre, in Bath, against the Park in Hammondsport, on use of reduced admission books.

Wants Bank Nights In

NEW ORLEANS, Sept. 5.—Allied Theatre Owners of Louisiana has gone on record as favoring a change in the code permitting bank nights, lotteries and premiums.

Sinclair Wants State to Make and Exhibit Films

(*Continued from page* 1)

plates the establishment of a state theatre.

"We recognize that pictures have been in bad taste and we will try to raise the cultural standards," he asserted. "And there won't be any Communist propaganda in them, I'll tell you that.

"We will rent studios and theatres and put in charge of production an executive who has not been able to use his ability because of conditions. The project will give work to unemployed artists and technicians."

He said the state-produced films would not be thrown on the commercial market because he does not intend to compete with private industry. But if there is a demand for them commercially, he said, they would be released for general consumption.

Hawaii Not In

Hawaii does not come under the film code for the United States, the NRA has decided. Because of labor provisions in the U. S. possession and other varying ingredients, it is held that Hawaii comes under division VIII of the NRA, which deals with codes other than this country.

Nebraska Exhibitor Cited on Code Order

OMAHA, Sept. 5.—Charged by T. C. Shipley, exhibitor at Clay Center, Neb., with using a subterfuge in allegedly violating an order of the grievance board, George K. Werner, Fairfield, Neb., exhibitor, has been instructed to appear before the board Friday and explain why he is giving a 10-cent rebate to his patrons.

Some weeks ago Shipley complained Werner was using coupon tickets. The code board issued a desist and cease order. This week Shipley entered his new complaint. He stated patrons pay the regular 15 cents admission at the window, but when they present tickets to the doorman he hands them a dime along with the torn stub.

Objects to Code's Advertising Rates

(*Continued from page* 1)

in upper Manhattan, Yoost states that this provision of the code is "harsh, unfair and works a particular hardship upon independent exhibitors who show subsequent run pictures."

He adds: "It may be that in other parts of the country this particular section can work more equitably, but in the metropolitan district where clearance is very short and where chain and affiliated exhibitors bitterly compete with independents, each soliciting the same neighborhood, the section is incapable of working justly."

U. A. Will Decide Suit Action Today

(*Continued from page* 1)

put over until this afternoon. Edward Raftery of O'Brien, Driscoll and Raftery, who has been handling the case, is now in Havana on a two-week vacation, returning Sept. 17. Dennis F. O'Brien of the legal firm will attend the directors' meeting.

May Fight Code Ruling

NEW ORLEANS, Sept. 5.—Affiliated Theatres may go to court over a code decision holding the Palace, New Iberia, guilty of overbuying and ordering the management to release 24 films to Philip Sliman of the Evangeline in the same town, according to a report current along film row here.

Ad Complaint Up in L. A.

LOS ANGELES, Sept. 5.—A new complaint filed this week with the clearance and zoning board, lists the Melrose Theatre as plaintiff against Chotiner's Ravenna on a charge of premature advertising.

Chotiner heads the new I.T.O. board of directors.

St. Louis Tax $14,300

ST. LOUIS, Sept. 5.—Theatres paid the city a total of $14,300 in licenses during the fiscal year 1933-34, according to the annual report of City Comptroller Louis Nolte, recently filed with the Board of Aldermen.

Funeral Services for Mrs. Kann Tomorrow

(*Continued from page* 1)

brother of Mrs. Kann, who also was injured in the automobile accident of New Haven early Tuesday morning which resulted in Mrs. Kann's death.

Harry Goldberg, who was driving the car and sustained a fracture of the nose and one arm as well as bruises, is still in the hospital at New Haven and probably will remain there for several days. His condition is improved.

Columbo Funeral Today

HOLLYWOOD, Sept. 5.—Funeral services for Russ Columbo, actor and radio singer, who was accidentally killed Sunday, will be held here tomorrow with the celebration of a requiem mass at the Blessed Sacrament Church.

The Universal studio, where Columbo was employed, will be closed for a five-minute period during the funeral service.

Lansing Brown, who accidentally fired the bullet that killed the singer, was exonerated today by a coroner's jury. The verdict was accidental shooting.

Harry Marsey Passes

BUFFALO, Sept. 5.—Harry Marsey, who had the first picture theatre here and conducted in connection therewith the first exchange in this city, is dead. His first house was known as the Happy Hour. He opened the Ellen Terry, now a second run neighborhood, as a legitimate theatre 40 years ago.

Mrs. Earl Bright Dead

HOLLYWOOD, Sept. 5. — Mrs. Earl Bright died suddenly here this morning. Her husband is a member of Joseph I. Breen's production code staff and was formerly personal secretary to Will H. Hays until transferred to Breen's staff a few weeks ago. She was about 35 years old.

Edward Kearns Dies

EAST ST. LOUIS, Ill., Sept. 5.—Edward Kearns, 64 years old, theatre manager and operator, is dead at St. Mary's Hospital of injuries suffered when he was struck by an automobile. Mrs. Kearns, three sons and a daughter survive.

Shamrock to Distribute

DETROIT, Sept. 5.—Bert C. Fassio, president Shamrock Pictures Corp., stated he has opened his first exchange here to distribute in Michigan. Space has been acquired in the Film Exchange Bldg. The first one-reel song-production is here with 12 others to follow along with other short subjects of one and two reels.

Omaha Golf Set Sept. 21

OMAHA, Sept. 5.—A stag golf tournament for exhibitors in the Omaha trade territory, local branch managers and salesmen, will be held here Friday, Sept. 21. D. V. McLucas, United Artists branch manager, and A. M. Avery, RKO manager, are in charge of arrangements.

Middle West Prices Gain; Outlook Good

(*Continued from page* 1)

and the larger dailies based on first-hand observation reveal that farmers, in the aggregate, will receive a larger crop income this year than at any time since 1930. The short crop has created spectacular price increases. In addition, cash benefits from the AAA program and other Government agencies are of material assistance. In Nebraska alone, benefit checks from the AAA under the corn-hog reduction program will total $30,000,000.

Merchants and bankers report almost unanimously that business has improved in their lines substantially, according to an Associated Press report.

Kansas City continued to show the best gain in bank clearings among the leading cities in the United States, figures released by Dun & Bradstreet revealed. The percentage of increase was 41.4 over a year ago for total clearings in Kansas City for the week ended Aug. 22.

Omaha bank clearings for July showed an increase of $21,500,000 over July, 1933, a gain of approximately 23 per cent.

Certain sections, of course, suffered almost a complete loss of 1934 crops because of drought, but farmers in these localities are assured of Government aid.

Mill Strike Effects On Theatres Studied

Federal funds for crop curtailment programs will maintain purchasing levels in areas affected by the drought, in the opinion of representative agricultural and business publications.

As a result, theatre business in the drought areas is expected to maintain its 1932-33 level, and the Federal payments are also regarded as likely to overcome adverse economic effects of the current textile strike in the south and New England, even though Administration efforts to settle the strike are not immediately effective.

$36,000,000 for Farmers

Approximately $36,000,000 of Federal funds for crop reduction programs will be distributed to farmers in drought areas within the next few months. In addition, market prices for farm products are substantially higher than in other years. Based on present market quotations, *Prairie Farmer* estimates the current value of corn, wheat, oats and hay in Illinois and Indiana alone at $429,960,000, compared with $297,743 last year. Federal payments to these states will aggregate an additional $70,428,000.

The *Southern Agriculturist* estimates Federal payments of $850,000,000 for cotton reduction in southern states, which, together with higher market prices for cotton this year, is expected to offset much of the ill effects which might result from even a prolonged strike in the textile industry. The strike situation, however, is being watched by film and equipment men with considerable apprehension. With more than 250,000 workers now on the strike list, most of them in North and South Carolina, Georgia, Alabama and Tennessee, theatre equipment men, in particular, feel the danger of much of the ground gained in improved conditions in these states being lost in the event of a lengthy textile strike.

President Roosevelt's intervention yesterday to end the strike through arbitration is viewed in this industry as a possible means of preserving the trade gains made in the south during recent months. Other sections affected by the textile strike, such as Massachusetts, New York, New Jersey, Connecticut and Maine are felt to be better situated economically to absorb strike costs than is the south.

Star Ratings End

New Orleans, Sept. 5.—*The Item* has discontinued its star system of reporting films, returning to its original criticism but by the several members of the staff instead of one writer. Objections on the part of theatre managers, it is said, who threatened to reduce their linage, is given as one of the prime reasons.

Associated Theatres Re-elect Directors

Toronto, Sept. 5.—All directors of Associated Theatres, Ltd., independent co-operative booking and buying organization, have been re-elected for the next 12 months and the returned board will select its own officers at the September meeting of the executives.

Those re-elected are: Ernie Marks, Martin Theatre, Oshawa, president for the past year; Gordon Miller, Peterboro; William Boyd, Toronto; T. A. Moorehead, Brampton and London; Joe Freedman, Toronto, and W. A. Baillie, Toronto. Oscar Hanson is the general manager of Associated Theatres. The organization has 70 theatre-members throughout Ontario and all head-office equipment paid for including a new private screening room.

Film Shortage Seen For Czechoslovakia

(*Continued from page* 1)

Department of Commerce from Commercial Attache Sam E. Woods, in Prague.

Of the 260 films said to be available, 37 are of Czech origin, 106 German. 48 American, 40 English, 23 French and six Russian, Polish, Hungarian and Italian.

There is a question, Attache Wood states, whether exchanges will be able to bring in all of the pictures which they intend to place on the market. Of the 37 local pictures only two-thirds are finished, and it might happen that the local theatres will again feel sharply the shortage of new features, as the proposed total of 260 hardly covers the normal requirements.

Rent Suit Is Filed

Cincinnati, Sept. 5. — Majestic Theatre Co., Louisville, Ky., has filed suit in Circuit Court there against the United Theatres Co., an Ohio corporation, seeking collection of rent totaling $158,428.35, claimed to be past due on lease of the Rialto.

The amount includes $9,128.33 as interest.

Agreement Still Shy On Cincy Operators

Cincinnati, Sept. 5. — No agreement has been reached in negotiations pending for several weeks between subsequent run exhibitors and Operators' Local 327.

The present contract, drawn in 1932 and expiring Sept. 1, 1934, specifies scales of $45 and $55 with one man in the booth. Previously two men were required. The wage differential in the present setup is determined by the seating capacity.

The contract grants exhibitors privilege of renewing on same terms, plus $2.50 per week per man in both classifications. Exhibitors, however, are understood to be asking for the same or better figures, with a reduction of 25 per cent during the summer months.

Approximately 15 subsequent houses are operating non-union, and practically all of these are being picketed.

Lyceum Drops Films

Columbus, Sept. 5.—The Lyceum, which switched from burlesque to a combination picture and burlesque policy several weeks ago, playing mostly Mundus product, has discontinued the screen offerings, and reverted to burlesque.

Murphy at Great Lakes

Buffalo, Sept. 5.—Robert T. Murphy has been named house manager of the Great Lakes by Buffalo Theatres, Inc. He also continues to supervise the Court Street on a temporary basis.

Claim Losses Due to 'Jack Rabbit' Shows

(*Continued from page* 1)

as a whole through slipshod and dishonest methods, antiquated prints which reproduce imperfectly, and by mediocrity of the type of product screened."

"'Jack rabbits,'" the publication asserts, "have been a source of great trouble to the established exhibitor for many years, principally in the rural sections. Their development now has reached a point where not a few of the established exhibitors find their business in jeopardy, due to grossly unfair competitive methods employed by the itinerant circuits, which because of low overhead are in a position to charge little or no admission to their performances, staged in empty stores or vacant lots.

"While the so-called honest 'jack rabbit' operator pays for his film and lives up to the terms of his contract with the distributor, frequently acquiring the prints outright, the illegitimate operator 'bicycles' prints from one community to another though authorized to use the print for only one showing. In many instances his prints are acquired illegally, or are 'dupes' purchased cheaply from 'bootleg' exchanges."

Nebraska House Reopens

Spencer, Neb., Sept. 5.—Jones and Bradstreet have re-opened their Boyd.

Four Majors To Seek 25¢ Chicago Deals

(Continued from page 1)

season gets under way a maximum of 18 films will go out of Chicago exchanges with the understanding that not less than a quarter can be charged at any time.

Chicago is now witnessing a stalemate on selling, because B. & K. recently appealed from a decision of the local clearance and zoning board. No one is selling and the U.A.-B. & K. deal is the first on record.

B. & K. recently protested to the Chicago clearance board that the current season's schedule should be altered so that one week's protection can be given the circuit between runs. B. &. K. now runs pictures with competitors on a policy of dating as soon as pictures are through at prior runs. The circuit wants this done away with and instead a seven-day lapse set in between bookings. This would provide for a dead week for distributors. When the case first came up before the Chicago board, the members voted five to one against the B. & K. protest. Walter Immerman, now in New York, sat as a member of the body after having filed the complaint. Independents were considering challenging Immerman, but decided to let him sit since he would be out-voted anyhow.

The appeal has been in the hands of Campi for five weeks and no word has been received when a general protest hearing will be held. Meanwhile, selling in the Windy City is a dead issue.

Just what reaction will be gotten from independents is anyone's guess. They have not yet been approached by U. A. or any other distributor on the plan, but the general impression is that it would be a good move.

In contrast to the Miami, Milwaukee and New England clearance and zoning schedules, the Chicago plan makes no reference to duals or admission prices, holding the same protection and policies should prevail for 1934-35.

Although new deals are being held up, there is no product shortage. Practically all exhibitors have dates in for bookings until October. By that time the selling season will probably get under way.

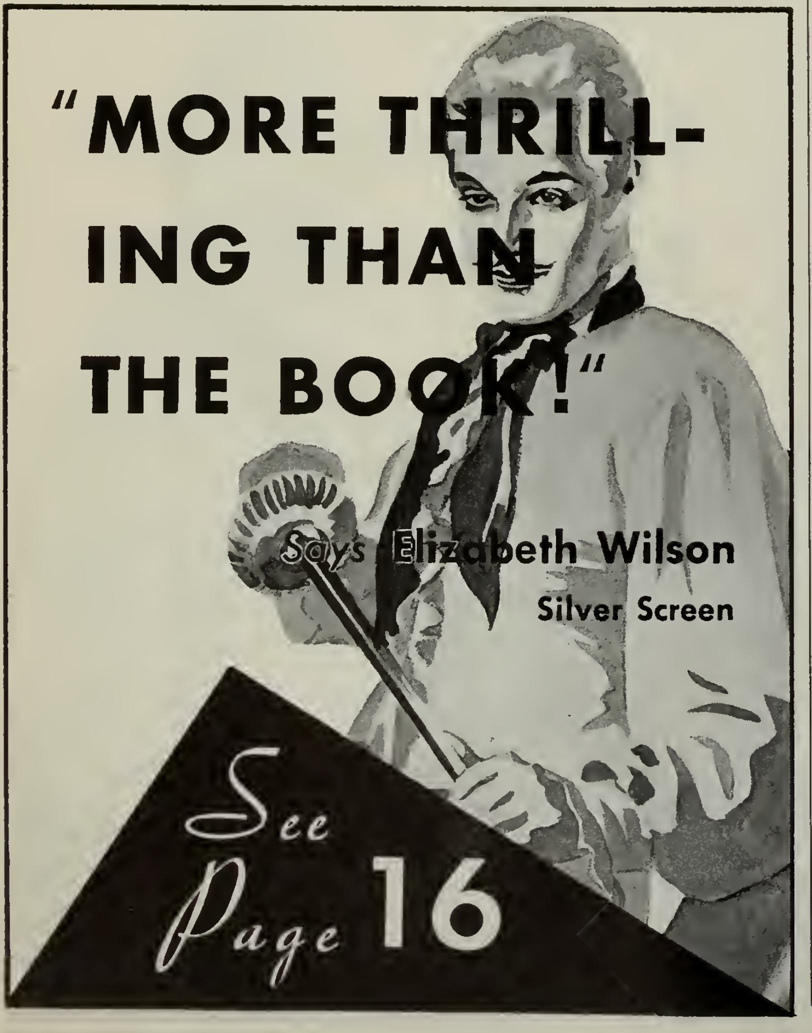
Chicago exhibitor leaders plan to go east when the protest schedule is set by Campi in New York.

An important independent leader here told Motion Picture Daily that if Campi reverses the decision of the local board in the B. & K. case, the clearance board will refuse to hear any more cases.

"What good is the code if it has no advantages," he said. "All we are getting is the opportunity to pay our help more money. We did better with the unions when there was no code and we can still do without it."

Hollywood Personals

Hollywood, Sept. 5.—The Sam Bishoffs leave Sept. 7 for a vacation in Honolulu. . . . Madge Evans' mother back from Europe. . . . Richard Boleslavsky getting word his novel, "Way of a Lancer," had been translated into French. . . . William Haines to star in "The Marines Have Landed" for Mascot. . . . Charles Ruggles cast in Paramount's "Ruggles of Red Gap." and why not? . . . The Wesley Ruggles and Claude Binyons back from June Lake. . . . Frances Drake has lost her Maltese cat, "Steve." . . . Charles Chaplin and Paulette Goddard, Francis Lederer with Steffi Duna, Ann Sothern and Robert Pryor, the Stuart Erwins, the John Boles, Lee Tracy, W. C. Fields and Dick Powell at the Brown Derby. . . . Doris Kenyon off for a tour of the east in "Secrets of Suzanne," opera by Wals-Ferrai . . . the William Seiters honeymooning aboard a yacht off the Santa Cruz Islands. . . . Helena Rubenstein returning to Hollywood in the fall to introduce new facial make-up in pastel shades. . . . Sam Ornitz off for New York to attend the opening of his new play, "In Old Kentucky." . . . Eliott Gibbons signed by Universal to write dialogue for "Rendezvous at Midnight." . . .



Pitt Price Cut May Embroil Pittsburgh

Pittsburgh, Sept. 5. — After a three-month shutdown, the Pitt reopened this week-end with vaudeville and pictures. The opening bill has eight acts and "Born To Be Bad."

The admission price, which was 40 cents after six o'clock last year, has been reduced to 35 cents and there are reports about town that this slash may mark the beginning of a general price war locally. The lower scale is believed to be aimed at the Alvin, which has a 40-cent top, to prevail on both straight picture and combination weeks.

Jack Jones, once manager of the Howard Thurston show and formerly with the Comerford circuit, is managing the Pitt, which is operated by George Shafer. Jones succeeds George Otte.

RKO in K. C. Sets 45c.

Kansas City, Sept. 5.—Instead of 50 cents, plus tax, as planned, the increased night price at the RKO Mainstreet is 45 cents, plus tax, for vaudeville-film shows.

Charter Phila. Theatre

Harrisburg, Sept. 5.—Shillington Theatre, Inc., 1026 Rockland St., Philadelphia, has just been chartered here with a capitalization of $10,050.

Launching New Shorts

Hollywood, Sept. 5. — Columbia begins its 1934-35 program of shorts with three comedies going into production.

Circuits May Pay Cost of Music Fight

(Continued from page 1)

indicated defections would not alter the committee's plan of proceeding with its legal actions against A. S. C. A. P. under the direction of George Z. Medalie, former U. S. District Attorney here.

"As is often the case among exhibitors," Vincent said, "a few may be obliged to bear the burden for the benefit of the many. If that becomes necessary, we will still have enough support to carry through our plans."

Vincent intimated that strong pleas would be made for the support of all exhibitor factions. and that if these were unavailing the committee would proceed without the aid of those who withdraw. He said that no increase in the contribution rate of a penny a seat would be made even though the indicated defections of the three exhibitor organizations materialized. Vincent estimates that affiliated circuits alone will contribute $40,000. In addition, large independent circuits such as the Comerford, Shea, Butterfield and Wilmer & Vincent organizations, will also participate.

See No Need for Action

Allied, I. T. O. A. and T. O. C. C. first indicated that they would not contribute to the committee's "war chest" following the filing of the government's anti-trust suit naming A. S. C. A. P. last week. They felt that the Federal suit would accomplish all that could be hoped for from the filing of an exhibitors' action. The emergency committee, however, emphasized that exhibitors require immediate relief to forestall the music tax increases which A. S. C. A. P proposes to put into effect October 1, and that this relief will not be forthcoming from the Federal suit.

Medalie is expected to file petitions within the next few weeks for injunctions restraining A. S. C. A. P from placing the increases in effect and from collecting any music taxes whatever in the future. The actions will be filed in Federal court here.

Nebraska-Iowa Men To Talk Music Tax

Omaha, Sept. 5.—All exhibitors of Nebraska and western Iowa have been asked to meet here Sept. 20 to discuss the proposed increase in the music tax.

Charles Williams, president of the Nebraska M.P.T.O.A., is assuming responsibility for the summons, though he says the invitation extends to all exhibitors, regardless of affiliation.

Warners to Get Para. Films for St. Louis

St. Louis, Sept. 5.—Although F. & M. have bought "The Belle of the Nineties" and have dated it to open at the Ambassador on Sept. 14, Warners will play the distributor's 1934-35 output at the Shubert-Rialto and Orpheum.

The F. & M.-Paramount deal was a one-picture contract, since the Mae West film is one of the 1933-34 releases and was not sold to Warners.

Free Shows Checked By K. C. Operators

Kansas City, Sept. 5.—Free shows in Kansas City have been checked by action of the Better Business Bureau on complaint of the Independent Theatre Owners. Milo Cornell and J. Charles, promoters of the gratis performances, have been warned by city counselor's office to obtain a theatre occupation license or be subject to arrest. The promoters have folded.

The Better Business Bureau investigated on complaint of Mrs. A. Baier of the I.T.O. that the free shows were unfair competition. Two such shows were being put on one night weekly, in the Sheffield and Waldo districts. In one instance a business men's association was the sponsor.

According to the Better Business Bureau, the promoters showed silent films on vacant lots, charging no admission but obtaining considerable revenue through selling to merchants in the community advertising flashes on the screen at $15 a night. The promoters contend that since the shows were free no license was necessary, but W. F. Allen, assistant city counseler, ruled against them.

A. F. A. Holds First Meeting of Season

The American Federation of Actors held its first meeting of the season last night at the Hotel Edison here.

Among those present were License Commissioner Paul Moss, Fred Bernbach of the American Federation of Musicians, State Senator Albert Wald, Heywood Broun; William Mahoney, state organizer of the A. F. of L.; William J. Rapp, counsel of the A. F. A.; Matthew Woll, vice-president of the A. F. of L.; Ralph Whitehead, executive secretary of the A. F. A., and Elias Sugarman, editor of the *Billboard.*

Blamenthal Goes Blind

Hollywood, Sept. 5.—Richard Blamenthal, associated with the Paramount foreign department in Paris until transferred here as assistant to Arthur Hornblow, Jr., associate producer, was today stricken blind. He was rushed to the Cedars of Lebanon Hospital, where he underwent a delicate operation on his eyes. Doctors are confident of restoring his sight. The loss of vision is the result of a motorcycle accident eleven years ago in France.

Reinhardt on the Coast

Los Angeles, Sept. 5.—Max Reinhardt arrived here today to stage Shakespeare's "Midsummer Night's Dream" at the Hollywood Bowl. He was received tonight at a gala reception at the Biltmore, attended by more than 250 leading film executives, stars, writers and civic leaders. Rupert Hughes acted as master of ceremonies.

DeMille Back on Coast

Los Angeles, Sept. 5.—Cecil B. DeMille returned here today from his country-wide lecture tour with the statement that the public desires clean entertainment.

Variety Club Chatter

Albany

Albany, Sept. 5.—Open House activities recently were transformed into "Carnival Night," which was attended by a large turnout of barkers and their guests. Activities, in keeping with the carnival spirit, and dancing, continued until early hours of the morning. The headquarters were decorated in gala colors.

Variety Club members were guests of the local Warners Club at their annual outing, held at Babcock Lake. The affair was climaxed by a ball game, staged between the two clubs, and which found the Variety Club men victorious over the theatre men by the close score of 22-21.

From all indications, the first annual golf tournament to be staged Sept. 7 at the Shaker Ridge Country Club, will be a success. Many attractive prizes have been donated by those allied with the industry. The local tent is awarding the main trophy, which is to be presented to the barker scoring the best medal. Keen rivalry is existent among Barkers Pielow, Sauber, Bullwinkle and Shea, for the coveted honors of getting the first leg on the club trophy. This tournament will be climaxed by a dinner and floor show at the clubrooms in the evening.

Barker Eastman of Paramount spent some time vacationing in Vermont and, during his absence, his club duties were carried on by Abe Stone.

Permanent committees have been drafted by Chief Barker Buckley to carry on club activities. Each member has been given a definite assignment and, according to committee reaction, various activities can be anticipated for the fall and winter.

Barker Mike Kallet at Oneida has fully recuperated from his recent illness, after having spent several weeks at his summer home at Sylvan Beach. Mike operates theatres in Syracuse, Utica, Rome and Oneida.

Cincinnati

Cincinnati, Sept. 5.—Weekly meetings of the local tent are to be resumed Sept. 10, according to tentative arrangements. The initial shindig will be an evening affair.

Barker Joe Alexander is spending his vacation in New York.

Bill Hastings, RKO Lyric, is back on the job after a sojourn with the home folks in Maryland.

P. J. Wood is a bi-monthly visitor to the local tent since making his headquarters in the city every other week. Wood reports Tent No. 2 arranging for big doings during the coming season.

Harry Silver, non-resident of Hamilton, looking over Detroit, while his theatre, the Palace, is dark.

Barker Harold Eckard is compiling a list of boys' and girls' names in anticipation of a blessed event at his home.

Allan S. Moritz has recovered from his recent illness and again is back at his desk in the Columbia exchange.

Frank W. ("Wes") Huss is sojourning in the wilds of Canada, whither he was driven by an oncoming attack of hay fever.

Although activities around the club rooms are at a low ebb, on account of the summer heat, barkers are looking forward with unusual anticipation to the resumption of the weekly luncheon-meetings.

Cleveland

Cleveland, Sept. 5.—The first annual golf tournament of the Variety Club was held at the Beechmont Country Culb. About 70 members and guests attended the festivities which started at noon, continued late into the evening and consisted of golf, meals and other competitive games.

Johnny Himmelein, Paramount branch manager, won the first prize with a score of 66. The prize was a cocktail shaker and glasses presented by Universal. Perc Essick won second low net score—a golfer statue, presented by United Artists. Jack Shulman of Painesville won low gross by 79, and took home a set of military brushes, presented by RKO. Eddie Johnson's prize, a cocktail set presented by Warners, was won for the best poker hand for five selected holes. Bill Skirboll, with three fives and two sixes, won a beer set donated by National Theatre Supply.

The blind handicap was won by Milton Mooney. The prize was a statue of a golfer presented by the Statler Round Table. Dave Chatkin won the second blind handicap, prize being an electric clock presented by the Statler. Max Greenwald of Paramount won two gallons of Prestine, donated bv National Carbon Co., for the best score on nine selected holes. For the score of 140 with a 14 on No. 16 Mark Goldman, Majestic, won a complete job at the Film Bldg. barber shop. Guest prizes—a cocktail shaker presented by Exhibitors Poster Service—went to Jack Steinberg, Youngstown exhibitor, and to Bill Eisenberg, Cleveland, for the best poker hand in five selected holes. M. E. Horwitz was chairman of the entertainment committee consisting of Jack Shulman, P. E. Essick and Eddie Johnson.

St. Louis

St. Louis, Sept. 5.—Al Zimbalist, advertising and publicity manager for the St. Louis Amusement Company has been named public relations counsel for the Variety Club of St. Louis, and St. Louis editor of the *National Barker.*

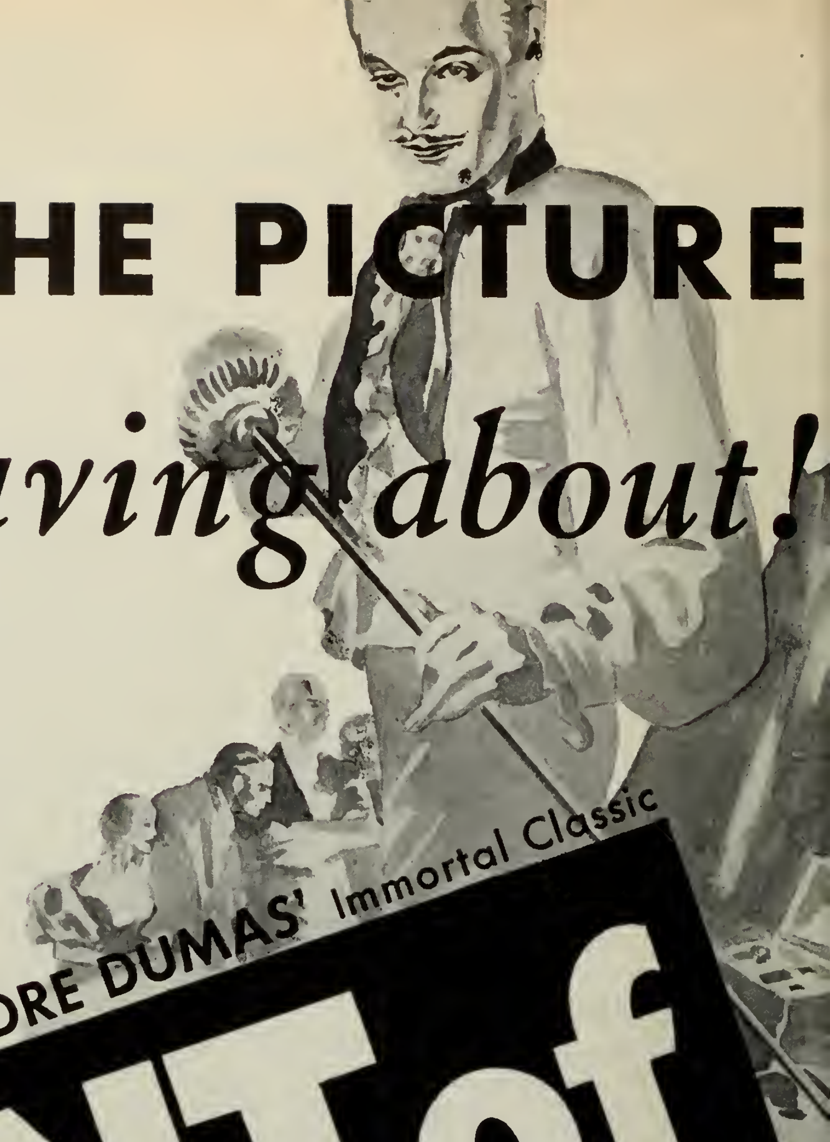
Washington

Washington, Sept. 5.—The resumption of weekly luncheons of Tent No. 11, originally scheduled for Sept. 10, has been set back to Sept. 17. Harry Hunter and Charles Kranz, earlier named as the kings-for-the-day, will reign on the new date.

Wants an Injunction

Alliance, O., Sept. 5.—W. B. Urling, operating the Rex, has appealed to the local courts for an injunction to enjoin members of the operators' union from picketing his house.

THIS IS THE PICTURE *they're all raving about!*



EDWARD SMALL'S production of **ALEXANDRE DUMAS'** Immortal Classic

The COUNT of MONTE CRISTO

with
ROBERT DONAT
ELISSA LANDI
Directed by ROWLAND V. LEE
A Reliance Picture · Released thru
UNITED ARTISTS

The Leading Daily Newspaper of the Motion Picture Industry

MOTION PICTURE DAILY

Alert, Intelligent and Faithful Service to the Industry in All Branches

VOL. 36. NO. 57 NEW YORK, FRIDAY, SEPTEMBER 7, 1934 TEN CENTS

Columbia Net For '33 Hits $1,008,834

Up Sharply Over 1933 to $5.69 on Common

Net profits of Columbia Pictures Corp. continued to rise during 1933 with results even more striking than they were during the 1932 fiscal year which ended in July. The 1933 net was $1,008,834.58, equivalent to approximately $5.69 per share on 168,177 shares of common after deducting preferred dividends and Federal income and other taxes.

The 1932 net was $740,240.97, or approximately $4.10 per share on

(Continued on page 4)

Para. to Continue German Operations

Paramount will continue operations in Germany with a reduced staff as long as business in that country warrants, John W. Hicks, vice-president of Paramount International, said yesterday on his arrival from Europe.

Hicks reported that the Nazi censors had given Marlene Dietrich's "The Scarlet Empress" a high rating for artistic merit in approving the

(Continued on page 2)

Objections Filed to Para.-Broadway Plan

Objections to the plan of reorganization for Paramount-Broadway Corp., a subsidiary of Paramount Publix holding title to the Paramount Theatre and office building in Times Square, were filed in U. S. District court here yesterday by minority bondholders of the parent company.

Principal objections were centered upon the plan's provisions for cancellation of Paramount's $4,822,000 claim against Paramount-Broadway and the

(Continued on page 2)

Stage Show Return Set for Paramount

Stage shows will return to the Paramount either Thanksgiving week or Christmas week, Boris Morros, managing director, stated yesterday. The definite date is contingent upon long run pictures now booked for the house.

It is expected that the Paramount, Brooklyn, will also follow the same policy. Si Fabian is operating the Brooklyn unit under a pooling arrangement with Paramount.

Dropping of Code Salary Control Is Not Surprise

WASHINGTON, Sept. 6.—Formal decision of the National Recovery Administration to suspend indefinitely the salary provisions of the film code was no surprise either in Washington or to the industry in view of the strong report made by Division Administrator Rosenblatt, upon whose judgment Administrator Hugh S. Johnson has placed the utmost reliance.

It was made clear that the administrator concurred with Rosenblatt in the belief that a contract is inviolate and that regardless of any finding that a salary might be unreasonably excessive the contract between

(Continued on page 4)

U. A. Decides Against Suit On Campi Rule

United Artists has dropped plans to file suit against Campi in the U. S. District court here for an interpretation of the 10 per cent cancellation clause in the code.

The distributor threatened legal action following an adverse decision by Code Authority recently. The ruling held that the Albion, Albion, Ind., which had bought all of U. A.'s product offered for 1933-34 was entitled to cancel a picture it requested.

A meeting of the company's board of directors, scheduled for yesterday,

(Continued on page 4)

Extras and Union in Deal to Split Work

HOLLYWOOD, Sept. 6.—An agreement has been reached between the Junior Extras' League consisting of 700 players headed by Aubrey Blair and Local 37 of the Property Men's Union to prevent prop men from doing any acting and to stop the extras from doing any prop men's work.

It has been the custom for small producers to use prop men as players from time to time and players have often helped on sets.

License Suspended Over Union's Claim

License Commissioner Paul Moss yesterday handed down a unique decision suspending the license on the Mt. Morris Theatre, starting Sept. 10.

On June 30 Local 306 obtained a judgment against the 1 E. 116th St. Corp. and 199 Bowery Corp., operating the house at the time. Since then the lease on the theatre has been

(Continued on page 4)

Fox Met Bond Group Offers To Withdraw

The bondholders' committee of Fox Metropolitan Playhouses offered to withdraw its plan of reorganization for the circuit in favor of a new plan to be developed by other creditor groups, it was learned yesterday following a meeting of reorganization factors in the offices of Beekman, Bogue & Clark, counsel to the bondholders' committee.

The action is taken as an indication of the bondholders' failure to obtain permission from Skouras and Randforce, Fox Met operators, to include

(Continued on page 4)

Rites for Mrs. Kann Will Be Held Today

Details of the funeral services for Mrs. Marie Center Kann, late wife of Maurice D. Kann, editor of MOTION PICTURE DAILY, were completed last evening.

Private services at the Kann home, 65 Central Park West, will be conducted at 11 o'clock today by Rabbi Alfred I. Aarons of the Congregation of Mt. Sinai, Brooklyn, and burial will follow at the New Mount Carmel Cemetery at Glendale, L. I.

Feist Hits Reports On "Wandering Jew"

Felix Feist, general sales manager of M-G-M, last night denied reports that the company would not release "The Wandering Jew" in the United States. The reports followed cancellation of the picture by the Capitol. It was slated to open Sept. 14.

When reached by MOTION PICTURE DAILY and informed of the Capitol cancellation, Feist stated he had no knowledge of it.

RKO Realigns Its Theatre Subsidiaries

Swope Is Named Head of Keith-Albee-Orpheum

In a realignment of corporate entities which RKO officials describe as a unification of RKO theatre subsidiaries, Herbert B. Swope, a member of the RKO board, was elected chairman of the board of Keith-Albee-Orpheum Corp. and of B. F. Keith Corp. at a directors' meeting yesterday. Major L. E. Thompson was elected president of the two corporations and of RKO Proctor Corp., Stadium Theatres Corp., RKO Mid-West Corp. and RKO Service Corp., as well.

Other officers elected yesterday to posts in the six subsidiary theatre corporations are: I. E. Lambert, vice-president and general counsel of the

(Continued on page 2)

NRA Rules Against Trick Actors' Pay

WASHINGTON, Sept. 6.—Ruling that no person could be employed to appear on the stage of a film theatre unless paid at least the code minimum of $7.50 per day, the NRA today made it clear that no performer could be classified as an amateur if receiv-

(Continued on page 4)

Warners Will Hold Pittsburgh Doubles

PITTSBURGH, Sept. 6.—Reports that Warners intended to eliminate duals at their downtown Warner have brought a denial from Harry Kalmine, zone manager. He insists they're in to stay and that sufficient product is available.

Local showmen agree that double features pulled the Warner through the summer. Since the start of the twin bill policy several months ago, grosses at the Fifth avenue house have been mounting steadily.

Sales Tax Gaining Favor in St. Louis

ST. LOUIS, Sept. 6.—Fear of a heavy admission tax has been temporarily allayed by a decision of the bi-partisan special tax raising committee to present to the Board of Aldermen a sales tax plan calling for

(Continued on page 2)

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Advertising Manager

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Para. to Continue German Operations

(Continued from page 1)

picture for exhibition in Germany. Dietrich's preceding picture, "Song of Songs," was banned in Germany.

Hicks reported business conditions abroad as definitely evidencing permanent improvement. He said that film musicals are foremost in appeal on the Continent and predicted successful runs abroad for films of that type now being released. His trip covered nine countries and lasted two months.

Objections Filed to Para.-Broadway Plan

(Continued from page 1)

guaranteeing of the new bonds of Paramount-Broadway by Paramount Pictures Distributing, Paramount Productions and Paramount International. A recommendation that the Paramount Theatre be abandoned by the company is also contained in the briefs opposing the reorganization plan.

The plan, which is scheduled for its second hearing before Referee John E. Joyce next Tuesday, provides for the cancellation of a $178,000,000 claim filed against Paramount by the Broadway subsidiary.

Allied to Meet Sept. 13

Allied of New Jersey holds its next meeting on Sept. 13 in New York.

RKO Realigns Its Theatre Subsidiaries

(Continued from page 1)

six subsidiaries; Leon Goldberg, vice-president and treasurer; A. E. Reoch, vice-president in charge of real estate; Nate Blumberg, vice-president in charge of theatre operations; O. R. MacMahon, comptroller.

Malcolm Kingsberg was elected vice-chairman of the board of K-A-O and B. F. Keith.

J. R. McDonough, former president of K-A-O and the other RKO theatre subsidiaries, is president of RKO Radio Pictures, Inc., and affiliated companies and, in the future, will devote his entire time to the producing companies with headquarters in Hollywood.

In a statement by M. H. Aylesworth, RKO president, following the directors' meeting, it was stated that the elections "will result in full coordination in the various theatre organizations under Major Thompson's direction."

Swope Board Chairman

Swope succeeds Aylesworth as chairman of the K-A-O board. His election is understood to be the result of a mutual agreement between RKO and M. A. Meehan, who is reputed to own 51 per cent of the K-A-O stock. The election is also reported to be the solution to the differences which have existed between Meehan and RKO during recent months.

Referring to the election of Swope, Aylesworth's statement said:

"Mr. Herbert B. Swope was editor of the *New York World* during its most successful period, resigning two years before the paper was sold. He is a member of the RKO directorate, a member of the committee of unification negotiating with the city, and other directorates. He was sent by President Roosevelt with Professor Raymond B. Moley to the London Economic Conference and is also chairman of the New York State Racing Commission.

"Mr. Swope has been active in business in this city for many years and is well acquainted with the activities of the Radio-Keith-Orpheum Corp. as a member of its board of directors and the directorates of its various organizations. This close acquaintanceship fully qualifies him for the chairmanship of the Keith-Albee-Orpheum board."

Sales Tax Gaining Favor in St. Louis

(Continued from page 1)

two cents on each $1 of sales for the first year and one cent for two succeeding years.

Sentiment among the aldermen is crystallizing in favor of a sales tax plan, but Fred Wehrenberg, president of the M. P. T. O. unit, thinks two cents is too high for the first year.

Wehrenberg points out there are four first runs and 68 subsequents. He estimates the first year's tax for first runs at $33,250 and $70,750 for the subsequents. No way is seen of passing the tax to the public, as the tax on a 50-cent ticket would be less than one cent.

Dowling Closes a Deal

Ambrose S. Dowling, RKO European sales manager, has closed with Tobis-Sascha of Vienna for the distribution of four of his company's films in Austria. The quartette are "Little Women," "Morning Glory," "Finishing School" and "The Right to Romance."

Miss Moore Entertained

Grace Moore was entertained at a reception last night in the studio atop the Music Hall. Her host was W. G. Van Schmus, managing director of the theatre. Ex-Governor Alfred E. Smith and Mayor LaGuardia were among the notables present.

Louis Hyman in Town

Louis Hyman, general manager of Principal, arrived by plane from the coast yesterday and plans to stay several weeks before returning.

Sol Lesser, president of Principal; Eddie Cline, director, and George O'Brien leave Hollywood Sept. 14 en route to Europe.

Henry Seigel Resigns

Henry Seigel, assistant to Laurence Bolognino, president of Tri-Consolidated, has resigned. Seigel continues operation of the Boston Road until Loew's takes it over in a few weeks.

Eastman Up 1⅛ on Big Board

	High	Low	Close	Net Change	Sales
Columbia Pictures, vtc	33¾	32¼	32¼	—1⅛	1,500
Consolidated Film Industries	3⅛	3	3⅛	+ ⅛	300
Consolidated Film Industries, pfd	14⅛	14	14⅛	+ ⅝	300
Eastman Kodak	100	99¼	99⅞	+1⅛	1,000
Fox Film "A"	11¾	11¼	11½	.....	800
Loew's, Inc.	28	26½	26½	—1½	2,400
Paramount Publix	4	3¾	3¾	.....	2,600
RKO	2½	2⅜	2½	+ ⅛	300
Warner Bros.	4½	4⅜	4⅜	.....	1,600

No Change in Curb Prices

	High	Low	Close	Net Change	Sales
Technicolor	12¾	12¾	12¾	.....	400
Trans Lux	1⅝	1⅝	1⅝	.....	200

Para. Publix Bonds Rise Point

	High	Low	Close	Net Change	Sales
General Theatre Equipment 6s '40	6	6	6	— ⅛	3
General Theatre Equipment 6s '40, ctf	58	57	57	—2½	4
Loew's 6s '41, ww deb rights	102	101⅞	102	+ ¼	16
Paramount Broadway 5½s '51	38	38	38	— ¼	1
Paramount F. L. 6s '47	48⅞	46⅞	47½	+ ½	9
Paramount Publix 5½s '50	48⅞	48	48	+1	6
Pathe 7s '37, ww	99¼	99	99¼	+ ¼	6
Warner Bros. 6s '39, wd	54¼	53¾	53¾	— ¼	21

Purely Personal

HAL ROACH, FELIX FEIST, TOM CONNORS, FRED QUIMBY, HOWARD DIETZ, SI SEADLER, DAVID LOEW, CHARLES SONIN, JACK BARNSTYN, STEVE FITZGIBBONS, HAL HORNE, BORIS MORROS, JACK SHAPIRO, HARRY BRANDT, JAMES CLARKE, ARTHUR HIRSCH and LARRY COWAN dined at the M. P. Club yesterday.

OTTO DYAR, Fox cameraman, is visiting New York for the first time. He treks back to Hollywood tomorrow.

BERT WHEELER and ROBERT WOOLSEY arrived by plane yesterday to attend the Ross-McLarnin fight, and will remain here several days.

NATE MANHEIM, head of the Universal export department, has returned from Caracas, Venezuela, where he vacationed.

HARRY ORMISTON of the Universal exploitation staff, has gone to Washington to handle the opening there of "There's Always Tomorrow."

MAY ROBSON is here expressly to attend the christening of her great-granddaughter, which takes place at Bayside, L. I., tomorrow.

DANIEL T. O'SHEA, head of the Radio studio legal department, is on his way east to visit the home office.

P. D. COCHRANE was kept from his desk at Universal yesterday by a cold.

MRS. HAROLD LLOYD, accompanied by her dad, arrives tomorrow from the coast to join the comedian here.

WILLIAM M. L. FISKE, president of Seven Seas, Inc., arrived in town last night from the coast by plane.

HARRY GOLD returns Monday from the south where he has been visiting U. A. accounts.

HOWARD S. CULLMAN will have MAYOR LAGUARDIA as his guest at the Roxy tonight.

HARRY ARTHUR returns from St. Louis on Monday.

MAURICE CHEVALIER is scheduled to sail for Europe today for a vacation.

PAUL BURGER has returned from a short U. A. exchange trip.

Picked as Best for Sept.

"Caravan," "The Cat's Paw," "Judge Priest," "The World Moves On," "She Was a Lady" and "Servant's Entrance," all Fox pictures, have been selected as the best September film fare by the Daughters of the American Revolution, the National Society of New England Women, General Federation of Women's Clubs, California Congress of Parents and Teachers, National Council of Jewish Women and the Women's University Club.

Loew's Common Dividend

The regular quarterly dividend of 25 cents on its common stock has been declared by Loew's. It is payable Oct. 1 to stockholders of record Sept. 14.

"Menace" Para. Title

HOLLYWOOD, Sept. 6.—"Menace" has beent set by Paramount as the title for Philip MacDonald's original now in work.

Erik Charell

THIS INDUSTRY OWES YOU A DEBT OF GRATITUDE . . . WHICH THE BOX OFFICE WILL COLLECT!

Your Genius
has blazed a new trail . . .
marked a new milestone.

Your Daring Originality,
soaring imagination,
are reflected in every scene
of "Caravan".

You Have Inspired
a cast of many stars
to give the grandest
performances
of their lives.

You Have Assembled
mass effects
involving thousands
of people . . .
and infused them
with swinging,
colorful rhythm.

You Have Given Us Music,
gay and exciting,
that fills the hearts
of the audience.

You Have Created Spectacle
of such sheer beauty
that nothing ever done
on the screen
can compare with it.

You Have Depicted Romance
that fires the senses
like wine.

Above All
You have given us something
in your first production
for Fox
definitely new
and significant
that will be studied
in every studio...
and welcomed by a public
that has been begging
for a newer, truer use
of the motion picture.

FOX

Columbia Net For '33 Hits $1,008,834

(Continued from page 1)

167,885 shares of common outstanding at that time.

During the year Columbia opened distributing offices in Great Britain and upon the commencement of operations wrote off to profit and loss the amount of $187,036.08. This is in accord with the company's policy of not deferring any selling expense, Harry Cohn, president, says in a letter to stockholders.

Cash on hand is given as $825,185.60. Total current and working assets are $6,201,328.77. All forms of assets total $7,945,623.36.

Gross income from rentals and sales of film and accessories was $11,178,446.66. Earned surplus is given as $1,984,938.58 on July 1, 1933. Dividends on preference stock totalled $51,783. Common stock dividends in the form of cash and stock are listed at $96,361.55.

Attached to the report is an explanation of changes in amortization of films. In the United States and Canada 100 per cent amortization covers 78 weeks; in Great Britain and other foreign territories, 18 months.

NRA Rules Against Trick Actors' Pay

(Continued from page 1)

ing compensation of any sort, whether it be a meal or a dollar.

Further, the Administration ruled, where a performer appeared in more than one theatre on the same day he was to receive the minimum from each house in which he appeared, whether compensation were paid directly or indirectly.

The ruling was made to dispose of complaints that certain exhibitors had been chiseling by employing performers for a dollar or two, or even only for supper money, and calling them amateurs, while others had been using performers in two theatres simultaneously but paying them only for their appearance in one.

The ruling was made by Division Administrator Sol A. Rosenblatt.

U.A. Decides Against Suit on Campi Rule

(Continued from page 1)

may be held this morning. It is said that the cancellation issue will not come up, since U. A. will abide by Campi's decision.

In line with its policy, United Artists will continue to sell on individual contracts. It is stated that exhibitors will be asked to make any and all rejections of new pictures before a deal is closed so that there will be no need of cancellations later.

Powell in Pittsburgh

PITTSBURGH, Sept. 6.—Dick Powell, who got his start here as a master of ceremonies, returns to town tomorrow for a week at the Stanley to open his personal appearance tour. He'll also play Washington and Philadelphia before returning to the coast.

Dropping of Code Salary Control Is Not Surprise

(Continued from page 1)

producer and artist would remain binding.

It was also made clear that General Johnson agreed that the provisions suspended conferred upon the Code Authority powers not contemplated by the Industrial Recovery Act, and, further, that they were administratively impractical.

The outstanding comments in Rosenblatt's report were quoted by the recovery administration in announcing General Johnson's decision, developing the main factors which producers and artists have consistently maintained made the provisions of the code invalid, as follows:

"The provisions of this entire section are based upon the assumption that while an artist may be born, in effect he has to be made by the efforts of the producer before his talents have any unusual commercial value. Careful training, proper casting in proper parts, and skillful and expensive advertising are all considered important contributing factors in developing a star to a point where his services command substantial compensation—in short, the producer maintains that he compensates an artist for his services in two ways: first, through the actual payment of salaries; and, second, through the professional standing which the artist secures as a result of intelligent direction and proper casting—(therefore)—the producer maintains he is entitled to some machinery to protect his good will value in the artist."

On the other hand, Rosenblatt added, artists opposed the provision upon the ground that it "will tend to decrease bidding for their services and thereby tend to limit the compensation which their services may command in the future; further, that such provisions impair their right of negotiation while completely free from any contractual obligations.

"It would appear that the factors involved are no different from those surrounding any other type of contractual relations governing any other type of speculative business procedure. Granting that a producer makes substantial investment in the development of a star during the period of a contract, there seems to be no valid reason why he should expect to retain any option in any values which might be created as a result of this investment beyond the period of the contract. The entire matter sifts down to one of business judgment. As in any other type of speculative investment, the producer will naturally adjust the terms of the contract to the best of his business judgment, with a view to securing an adequate return on his capital investment within the life of the contract. If, for some fortuitous reason, values are created during the life of the contract which exceed the original expectations, there seems to be no valid reason why he should expect to retain an option in perpetuity on these values, if there is no contract basis for such continuation."

With publication of Rosenblatt's report, it became evident that the recovery administration would make no effort to apply the provisions under consideration, and this belief was supported by the failure of General Johnson to take prompt action, as he would have done, had Rosenblatt recommended otherwise than he did. The report was submitted July 19.

"Villa" Beats Move For Mexico Boycott

By JAMES LOCKHART

MEXICO CITY, Sept. 6.—"Viva Villa" has surmounted another of the obstacles encountered here by gaining exhibition rights in spite of an expected boycott called by the Cinematographic Employes' Union on the ground that the picture slights the Mexican revolution, regarded as a great social movement which started in 1910. Union leaders had appealed for support of the boycott by the Peasants' Confederation.

The latter organization decided against action in view of the fact that the government had approved the film.

Today police were seeking sympathizers of Pancho Villa as a result of the explosion of two bombs last night at the first showing of the film at the Regis. Two women were hurt. The theatre is being guarded. The critics generally have praised the film.

Woolf to Sail Sept. 13

Harry E. L. Woolf, British trade paper journalist, sails Sept. 13 on the *Manhattan* for London.

Is Now "Elinor Norton"

HOLLYWOOD, Sept. 6.—Fox has changed "The State Versus Elinor Norton" to "Elinor Norton."

Weeks Set to Head G-B American Sales

The Gaumont-British distribution organization in this country will be made up of American film men, Jeffery Bernerd, G-B general manager, said yesterday in making known the appointment of George Weeks as directing head of American sales for G-B.

Marion Sanders, formerly of the Roxy, was named G-B publicity director.

"Cat's Paw" Deal Set

According to prior arrangements between Loew's, Fox, Skouras and Randforce, "Cat's Paw" will not be shown at the Valencia, Hillside and several other Loew houses in competitive situations with the independent operators.

F. & M. Acquires Tower

LOS ANGELES, Sept. 6.—Fanchon & Marco are expanding theatre holdings here by acquiring a lease on the Tower. Robert Gumbiner is being retained as manager. First runs will be shown.

White Rats Revived

The American Federation of Actors has revived the White Rats, an organization of vaudeville performers extinct for more than 10 years.

Fox Met Bond Group Offers To Withdraw

(Continued from page 1)

in a reorganization plan a clause which would permit a sale of the circuit after one year following reorganization. This had been the objective of recent negotiations between the committee and the operators, who, early this week, made what was regarded as an alternative offer in agreeing to a 50 per cent reduction of their present aggregate annual salaries of $119,200, exclusive of participation in profits.

In offering to withdraw their plan, the bondholders' committee, it is reported, invited opposing factors in the reorganization to prepare an alternate one. No indication of whether or not this would be done was given at the meeting.

Skouras and Randforce representatives conferred in chambers yesterday with Federal Judge Julian W. Mack following the postponement until next Tuesday of a hearing on a petition to vacate an order of Judge Mack's which denied court approval of the bondholders' committee's plan.

License Suspended Over Union's Claim

(Continued from page 1)

transferred to the Union City Theatrical Corp.

On July 5, Local 306 tried to claim payment on the judgment and was refused on the grounds that a new corporation had been operating. Samuel Birnbaum, counsel for Local 306, objected to the transfer, claiming there had been no change in ownership.

Moss yesterday held that there had been no real change in ownership and that the transfer had not been made in good faith. At the same time he ordered the license suspended on Monday.

Benas Will Analyze Films for I.T.O.A.

Recommendations on an analysis of new product by John Benas, buyer and booker for the Leon Rosenblatt circuit, will be made at the I.T.O.A. meeting on Wednesday, Harry Brandt, president, stated yesterday.

Barnstyn Going Abroad

Jack Barnstyn, president of British and Continental Trading Co., sails on the *Statendam* on Sept. 25 on a six-months' business trip with stops including London, Paris, Holland, Scandinavia, Spain, Italy, Prague, Vienna, Budapest and all Balkan states.

Barnstyn has the foreign rights to all Principal's product and will close deals for distribution abroad on the trip. He also has "Young Eagles," which he will sell in foreign countries.

Ampa Resumes Sept. 20

The Ampa resumes weekly meetings at the M. P. Club starting Sept. 20. William Ferguson, president, and Paul Benjamin, treasurer, are now busy lining up new programs.

EVERY ONE IN TOWN

will want to be in on the fun!

WHEN they hear the news that these "State Fair" sweethearts are in love with each other again . . . in the merriest, happiest, most appealing romance in years . . . the crowds will jam the aisles and overflow into the lobby . . . *and you know it!*

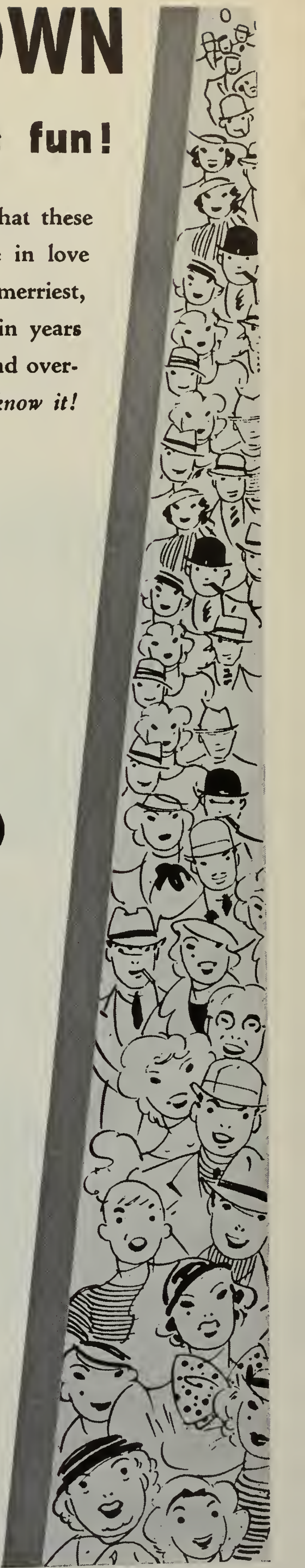
Janet
GAYNOR
Lew
AYRES
in

Servants' Entrance

with
NED SPARKS
WALTER CONNOLLY
LOUISE DRESSER
G. P. HUNTLEY, JR.
ASTRID ALWYN
SIEGFRIED RUMANN

Produced by Winfield Sheehan
Directed by Frank Lloyd
From the novel by Sigrid Boo
Adaptation: Samson Raphaelson

FOX



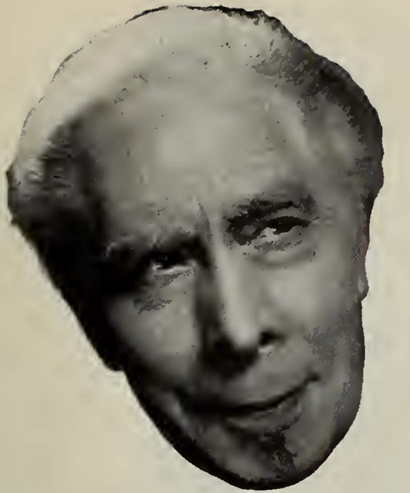
FACE VALUE

Strike up the band! He's breaking records in "BULLDOG DRUMMOND STRIKES BACK" and preparing for the triumph of his career in "CLIVE OF INDIA"

Simply beauty-full at the box-office in "THE AFFAIRS OF CELLINI" with Fredric March! Now prepare for her with Clark Gable in "IT HAD TO HAPPEN"

How he's March-ing on to new highs everywhere with Constance Bennett in "THE AFFAIRS OF CELLINI"

She's Young...and beautiful! And topping her "HOUSE OF ROTHSCHILD" success by her brilliant performance with Ronald Colman in "BULLDOG DRUMMOND STRIKES BACK"



Eclipsing his "HOUSE OF ROTHSCHILD" triumphs with "THE LAST GENTLEMAN"...and getting ready for the "best picture of 1935"..."CARDINAL RICHELIEU"

Mightier than ever in the mightiest of 'em all! "THE MIGHTY BARNUM!" Bigger than "THE BOWERY"...and you know how big that was!

What happened with "It Happened One Night" will happen again when he appears with Constance Bennett in "IT HAD TO HAPPEN"

Stepping from "The Merry Widow" to the roguish humor of the merry widower in "THE RED CAT"... merriest of all musicals!

WATCH THEIR FEATURES!

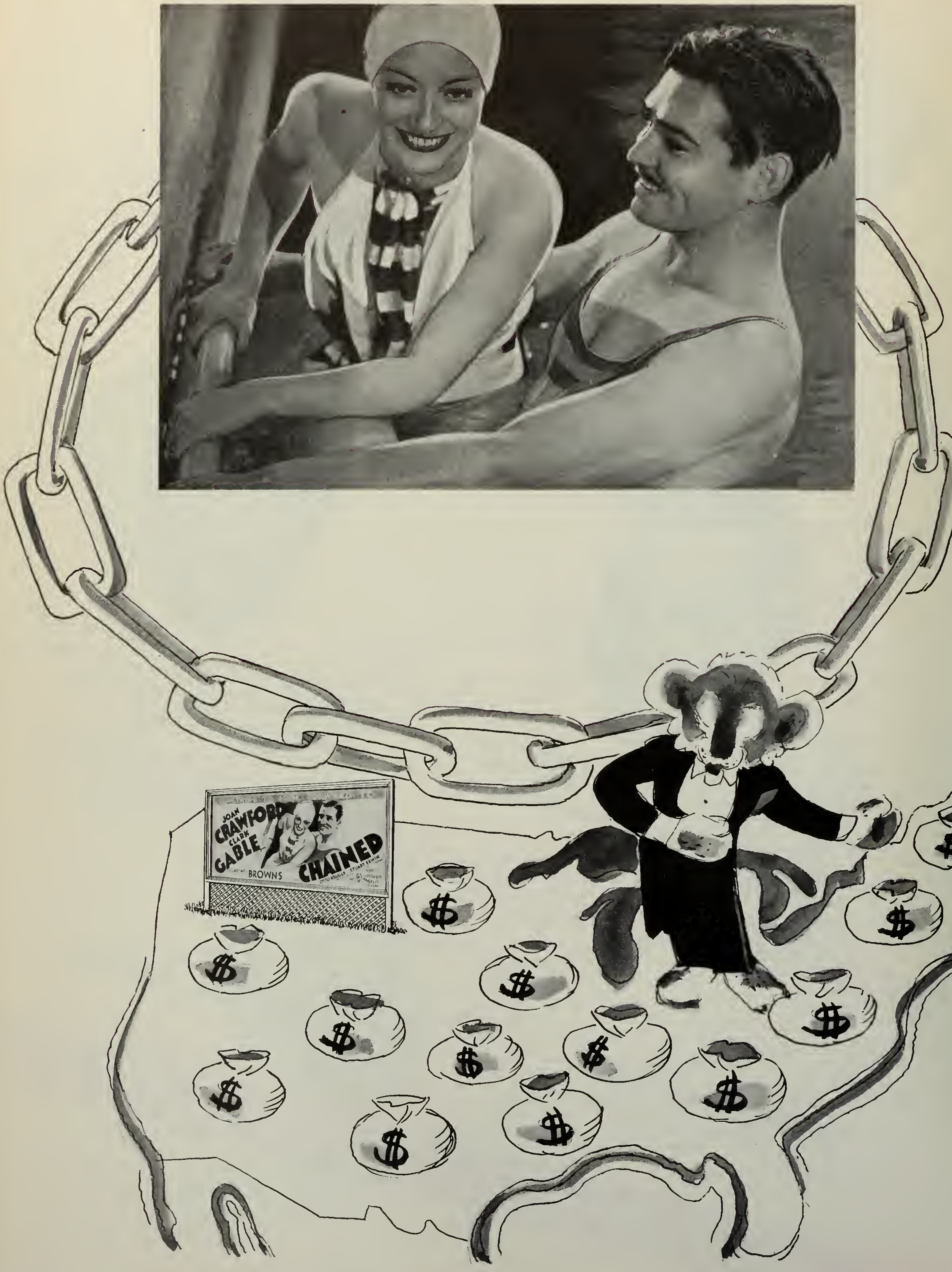
20th CENTURY PICTURES

Presented by
JOSEPH M. SCHENCK

DARRYL ZANUCK
PRODUCTIONS

Released thru UNITED ARTISTS

A Box-Office Story Without Words!



The Leading Daily Newspaper of the Motion Picture Industry

MOTION PICTURE DAILY

Alert, Intelligent and Faithful Service to the Industry in All Branches

VOL. 36. NO. 58 NEW YORK, SATURDAY, SEPTEMBER 8, 1934 TEN CENTS

RKO Opening Portugal and Spain Offices

Reisman Picks Barcelona For Headquarters

RKO Export Corp. is organizing its own distribution offices and facilities in Spain and Portugal, according to cabled advices to RKO headquarters here yesterday from Phil Reisman, vice-president of RKO Export, now in Europe.

Reisman reported that final arrangements have been concluded for the organization of a number of exchanges in the principal cities of Spain and Portugal and that headquarters will be established at Barcelona.

Robert Trillo, now manager of the RKO exchange at Panama, has been placed in charge of the new RKO distributing territory and leaves for Barcelona soon.

Settlement Seen of RKO-K-A-O Trouble

Amicable settlement of differences over the position of Keith-Albee-Orpheum in the RKO corporate scheme, which have cropped up from time to item in recent months, is seen as a result of the election on Thursday of

(*Continued on page 3*)

Ask Leave to Take $25,000 from Saga

A petition for leave to accept an offer of $25,000 from Saga Theatres Corp., a Paramount subsidiary, for claims totaling $2,006,000 against Olympia Theatres Corp. and Olympia Operating Corp. was filed yesterday with Referee John E. Joyce by the Paramount Publix trustees.

Joyce is scheduled to make his recommendation on the petition Monday in a report to the U. S. District Court.

Fifth Memphis Spot Starts Sunday Show

Memphis, Sept. 7.—A fifth theatre was added this week to the list of those operating here on Sunday. M.

(*Continued on page 3*)

Approved Pictures Total 33 for Week

Hollywood, Sept. 7.—Production Code Administration, under the direction of Joseph I. Breen, issued a total

(*Continued on page 4*)

Houses Open Generally As Business Gains

New Buildings Part of Autumn Development

Increasing theatre activity throughout the country is reflected in the reopening of 22 houses in 11 American cities and three in Canada. The reopenings are in line with post-Labor Day spurts in business and increased theatre attendance in widespread sections.

Six of the reopenings are Warner's houses; Famous Players-Canadian is reopening two and RKO one. The latter is the Grand at Cincinnati, where all seven RKO houses are now in operation. The Warner reopenings are the Kenton, at Kenton,

(*Continued on page 3*)

Rosenblatt to Get Cincy IATSE Fight

Washington, Sept. 7.—Representatives of the various factions involved in the I. A. T. S. E. controversy in Cincinnati will probably meet with Division Administrator Sol A. Rosenblatt within a few days to discuss the situation.

A conference was reported to have been held at the recovery administration today, but Rosenblatt denied that any meeting had taken place and explained that an assistant deputy administrator had gone to Cincinnati some days ago to survey conditions and that a conference probably would be arranged in the near future.

No Time Limits on Code Cases, Ruling

Kansas City, Sept. 7.—No statute of limitations exists in code board procedure, it being up to the local boards to decide whether a complaint on an old violation should be heard, the

(*Continued on page 3*)

Sinclair Details Film Relief Plans

Washington, Sept. 7.—Upton Sinclair elaborated on his plan for film production by the unemployed during a talk here. He said his aim was to have them shown to unemployed as

(*Continued on page 3*)

Laemmle Not to Buy Films for U. S. List

Carl Laemmle denies that he intends to buy pictures abroad for American distribution. Whatever

(*Continued on page 4*)

Theatre Unmoved

Tampa, Sept. 7.—The two-ton safe of Casino Enterprises was rolled out of the building, down an alley half a city block long and loaded onto a truck during the early morning hours.

It was found two miles out in the country, badly wrecked and with about $2,000 missing.

The theatre itself was found on the same site.

Shift Looms In Fox Met's Legal Tangle

Opposition to a reorganization of Fox Metropolitan Playhouses under the new bankruptcy laws was seen brewing in independent bondholder circles yesterday and indications are that these groups may bring their objections before Federal Judge Julian W. Mack on Sept. 12, the scheduled date of a creditors' hearing on making permanent the petition for reorganization of the circuit.

No plan of reorganization for Fox Met was ready yesterday for submission to the court on Sept. 12. The plan of the bondholders' committee

(*Continued on page 3*)

IEPA Rentals Fight To Go to the Public

Philadelphia, Sept. 7—The Independent Exhibitors' Protective Ass'n plans to carry its fight against "extortionate film rentals" to the public in a "vigorous campaign" appealing for support of the independent exhibitor. The association announces it will employ the screen, radio and a public

(*Continued on page 3*)

New Ontario Censor Asks More Westerns

Toronto, Sept. 7.—O. J. Silverthorne of Scotland, Ont., newly appointed member of the Ontario censor board, made quite a hit with film distributors of Toronto—if it can be called a hit—when, at the request of

(*Continued on page 3*)

Toronto Men Added As Loew Directors

Toronto, Sept. 7.—Following representations by a committee of Canadian stockholders, James Bicknell

(*Continued on page 3*)

NRA's Future Under Johnson On the Scales

"Important" Statement To Be Made in N. Y.

Washington, Sept. 7.—Administrator Hugh S. Johnson's future connection with the National Recovery Administration may be revealed next week at the meeting in New York called by Grover Whalen, at which the administrator is to make an "important announcement."

In Washington today it was viewed as probable that the controversy between Johnson and other key officials, led by Secretary of Labor Perkins, over the future of the NRA might make it necessary for the President personally to determine the future program of the organization.

As a result of the break, the work of the administration has been materially slowed down, while many code

(*Continued on page 3*)

Hearst's Newsreel Gets N. Y. Charter

Albany, Sept. 7.—Hearst Metrotone News, Inc., has just been chartered here with 500 shares of non par value stock. Incorporators are William R. Hearst, Edgar B. Hatrick, Caleb B. Stratton, Irwin Margulies, Marine Strunk and Helen Bovis.

This incorporation is a result of the separation of Fox Movietone News

(*Continued on page 3*)

"Empress" Is First Para. for Capitol

"The Scarlet Empress," starting Sept. 14, will be the first Paramount picture at the Capitol. The arrangement is a one-picture deal and has nothing to do with a recent product pooling plan which was dropped.

The Capitol originally had booked "The Wandering Jew," starting next Friday, but cancelled the British film last Thursday. It is possible that after re-editing, the picture may be dated in again.

"Cleopatra" Pulls $152,200 in 3 Weeks

With "Cleopatra" garnering $35,000 in the third and last week, the total intake at the Paramount for the three weeks was $152,200. For the first

(*Continued on page 4*)

MOTION PICTURE
DAILY

(Registered U. S. Patent Office)

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Martin Quigley
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Hall Quits Times; To Take Film Post

Mordaunt Hall, film editor of the *N. Y. Times* for the past 11 years, has resigned that post to become associated with a film company.

Hall's resignation will become effective within the next 10 days, he said yesterday. He has under consideration two offers from film companies, either one of which he may accept, he said. Pending his decision, he declined to discuss the offers.

Hall became film editor of the *Times* in 1923. He was managing director of Fox Film in London from 1919 to 1922. Prior to that he was correspondent for the *Evening Standard*, London, and was associated with the *N. Y. Herald*.

Akerson In Fed. Post

George Akerson, former secretary to President Hoover and more recently in executive posts with Paramount and M. P. P. D. A., was appointed an associate member of the Federal Board of Veterans' Appeals yesterday by President Roosevelt. The Federal post carries a yearly salary of $6,000.

Westminster to Reopen

The Westminster Cinema reopens Monday with "The Bride of the Lake." The house has been dark since the first part of the summer.

What N. Y. Critics Think

"One Night of Love"

(*Columbia*)

American—One of the season's most distinctive and distinguished cinemas fills the Music Hall screen with the profuse delights of music, song, laughter and beauty in quality rarely equalled even in the most selective of the motion picture palazzi. And its star, Grace Moore, adds to the importance of the occasion with a convincing demonstration that besides the clear glory of her God-given voice, she brings to the new medium a brilliant histrionic talent together with a photographic beauty and a filmable personality in perfect combination. With "One Night of Love" Miss Moore becomes quite definitely one of the foremost figures of filmdom.

Daily Mirror—Delightfully directed by Victor Schertzinger, brightly written, handsomely mounted, "One Night of Love" is superlative entertainment. It has charm, humor, glamour, romance, and, above these, it has Miss Moore, a dazzling acquisition to the movies.

Daily News—***recommended without reservation to every member of the family. It is so completely satisfying as an entertainment that it is bound to give pleasure to everybody who sees and hears it. For it not only presents Grace Moore and Tullio Carminati in a delightful comedy, but the picture introduces informally and lightly a number of lovely arias, beautifully sung by Miss Moore, from a variety of operas.

Evening Journal—Miss Moore's glorious voice and radiant personality dominate a picture that has been made into a magnificent blend of music and romance. It is written, played and directed with authority. Its introduction of operatic selections—as sung by Miss Moore—is gorgeously contrived. A brilliant production that should be tremendously successful, the film is a triumph for its star and everyone concerned in its fashioning.

Herald-Tribune—***a charming, humorous and vastly engaging screen play, which makes the best use of a brilliant singing voice that the cinema, after years of striving, has yet devised. Although its story of the rise of an American prima donna is hardly startling in its novelty, it is handled with such pleasant and unobtrusive gayety that even the narrative takes on a surprising quality of freshness.

Post—Miss Moore's exquisite voice is enough in itself to make "One Night of Love" a memorable picture. Yet the producers have matched the singing with a handsome production, and Victor Schertzinger's direction has invested it with a vigorous and lively composition.

Sun—***a gay comedy romance, with enough good music, well sung, to make both Hollywood and Broadway relish opera. It's one of the new season's most welcome pictures.

Times—***an enjoyable light diversion, one worthy of the charm and talent of its stellar performer.***After the reels and reels of torch singers and crooners, it is indeed a joyous relief to listen to the delightful melodies in this film.

World-Telegram—Under the spell of Miss Moore's artistry, Mr. Carminati's Monteverdi and Victor Schertzinger's direction, "One Night of Love" is one of the few films I would like to see a second time. Greater praise hath no dramatic critic.

Mayer Returns to K. C.

COLUMBUS, Sept. 7.—Louis Mayer, transferred from the Mainstreet, Kansas City, to the management of the RKO Majestic here three months ago, returns to his original Kansas City assignment next week, according to announcement by Harry Schreiber, city manager.

Clifford Bozman, assistant manager at the local RKO Palace, will succeed Mayer at the Majestic.

New RKO House Opens

The RKO Hollywood, located at Sixth St. and Avenue A, opened last night with stage, screen and radio personalities along with civic and political leaders present.

Sam Sax Signs Waitress

Sam Sax has signed Leona Olson, a waitress in the Vitaphone Brooklyn studio. She will appear in a short subject and later may be sent to Hollywood to appear in features.

Cullman Gives Dinner

Howard S. Cullman was host at a dinner party given at the Roxy last night prior to the evening performance of "Romance of a People."

Among those who attended were Mayor LaGuardia, Mark Ostrer, Arthur and Mrs. Lee and Jeffrey Bernerd.

Lou Preston Stays On

In the merger of the Nelson & Renner and Strassberg circuits, announced Wednesday, Lou Preston of the former will continue as general manager with headquarters at the Park Theatre, Brooklyn. Stanley Colbert will be his assistant, with Jack Haddam remaining as film buyer.

Bunny to Rapf & Ruden

The Rapf & Ruden circuit has acquired the Bunny, 3589 Broadway, and renamed it the Dorset. The house has been renovated and will reopen soon with Photophone High Fidelity.

Most Issues Off on Big Board

	High	Low	Close	Net Change	Sales
Columbia Pictures, vtc	32½	31½	31½	— ¾	1,000
Consolidated Film Industries	3⅛	3⅛	3⅛	.....	200
Consolidated Film Industries, pfd	13½	13	13¼	— ⅜	600
Eastman Kodak	99¼	99	99	— ⅞	900
Fox Film "A"	11	11	11	— ½	200
Loew's, Inc.	27⅜	26½	27	+ ½	3,600
Paramount Publix, cts	3⅝	3½	3½	— ¼	4,900
Pathe Exchange	1⅛	1	1⅛	+ ⅛	1,700
Pathe Exchange "A"	13¾	13	13	— ¼	500
RKO	2⅜	2¼	2¼	— ¼	600
Warner Bros.	4¼	4¼	4¼	— ⅛	1,800

Trans Lux Climbs ¼ on Curb

	High	Low	Close	Net Change	Sales
Technicolor	12½	12½	12½	— ¼	100
Trans Lux	1⅞	1¾	1⅞	+ ¼	300

Para. F. L. Bonds Slump 1⅝

	High	Low	Close	Net Change	Sales
Keith B. F. 6s '46	57	57	57	.....	5
Paramount F. L. 6s '47	46¼	45¼	45¼	—1⅝	4
Paramount Publix 5½s '50	47¾	47¾	47¾	— ¼	1

Purely Personal

KATHERINE STANDING, Sir Guy Standing's daughter, will make her screen debut in "Gambling," which Harold B. Franklin is producing at the Eastern Service Studios in Astoria for Fox release.

Robert Gillham, Paramount advertising and publicity director, is on his way to the coast to see how advertising plans for the new season are progressing. He is expected to be gone 10 days.

Howard S. Cullman, trustee for the Roxy, has been elected vice-chairman of the Port of N. Y. Authority, after serving as a commissioner of that body since 1927.

Earle Stanley Gardner has sold his "The Case of the Velvet Claws" and "The Case of the Lucky Legs," two mystery novels, to Warners.

Mark Ostrer of Gaumont-British will be host at a cocktail party at the Waldorf-Astoria on Tuesday afternoon.

William R. Ferguson says the next A.M.P.A. meeting will be held Sept. 13 at the M. P. Club.

Jules Levy visited Barney Ross yesterday at his hotel. Levy is a fistic enthusiast.

Philip Wylie's "Death Flies East," an original story, has been bought by Columbia.

Tamara Geva is in town from the coast to appear in the stage play "The Red Cat."

Helen Westley returns here from Hollywood tomorrow to resume her stage work.

Maurice Chevalier and his manager, Max Ruppa, sail today for Europe on the *Ile de France*.

Pete Smith is due in from Hollywood a week from today.

Miriam Hopkins arrives Monday for a short vacation from the studios.

Planning Fan Magazine

TORONTO, Sept. 7.—Plans are nearing completion for the publication of a fan magazine by Famous Players Canadian, Ltd., with Gene Curtiss, now in the publicity department of the company, in charge.

The book will be distributed to patrons of the houses controlled by the company free of charge, and will be sold on newsstands. The first issue is expected to be out Nov. 1.

Blair With Wilkerson

Harry Blair left New York this week by automobile for Hollywood to join the editorial staff of William Wilkerson's *Hollywood Reporter*. He was a member of the reportorial staff in New York of *Associated Publications* and was previously associated with *Film Daily*.

Son Born to Joel McCreas

HOLLYWOOD, Sept. 7.—A seven-pound boy was born today to Frances Dee, wife of Joel McCrea. Both mother and child are doing nicely.

Warners, Charnas Back

Harry and Albert Warner and Harry Charnas have returned from the coast.

NRA's Future Under Johnson On the Scales

(Continued from page 1)

authorities have practically ceased to function until they learn definitely what is ahead of them. Enforcement of trade practice provisions has been almost entirely suspended in many cases, it is said, while labor standards are being sustained mainly through the efforts of state compliance officers reporting to the National Emergency Council.

If Secretary Perkins is successful in her efforts to eliminate Johnson, he will be followed by a large number of subordinates in the higher positions, many of whom are staying only at his personal solicitation, and it is feared the entire organization might disintegrate to such a degree as to make its rebuilding impossible.

No Time Limits on Code Cases, Ruling

(Continued from page 1)

Kansas City grievance board has been informed by Code Authority.

"Common sense should maintain in all procedure," wrote John C. Flinn, Campi secretary. "If it is apparent old complaints would not serve a constructive purpose, then the board is privileged to throw them out."

The question was on a complaint filed three months after the violation occurred. While the local board heard the case, it asked Campi for a ruling to serve in the future.

New Ontario Censor Asks More Westerns

(Continued from page 1)

the press for a public statement, he gave the opinion that the film industry was not producing enough westerns to suit him.

Silverthorne, who hails from the rural section of the province, was an exhibitor in the old silent screen days, having operated a theatre at Meaford, Ont. He is one of two members of the new board serving under J. B. Hardwick, as chairman, the latter being the only survivor of the censor board of six which operated under the regime of the Conservative Party.

Toronto Men Added As Loew Directors

(Continued from page 1)

and F. M. Kimbark, both of Toronto, have been added to the board of directors of Marcus Loew's Theatres, Ltd., Toronto.

Announcement has also been made that, in accordance with the resolution passed at a recent general meeting of the company, an all-Canadian audit of the company's books will be made. At that meeting, objection was taken to the fact that duplicates of vouchers given auditors of the booking agency in New York were not sent to the company's auditors.

Skelly Film to DuWorld

DuWorld has obtained world rights to "The Chump," a two-reeler featuring the late Hal Skelly.

Shift Looms In Fox Met's Legal Tangle

(Continued from page 1)

has not yet been adapted to Fox Met's new status as a debtor corporation and there appears little likelihood that any plan will have been completed on that date. The committee has offered to withdraw its plan in favor of a new one to be drawn by the minority bondholder groups, but these factions are now weighing the advantages of opposing the reorganization petition and returning Fox Met to equity receivership, it is reported.

In view of the current unsettled situation, the Sept. 12 hearing will probably be adjourned without decisive action.

On Tuesday, Judge Mack will hear a motion to vacate his order of Aug. 28 disapproving the plan of reorganization sponsored by the bondholders' committee. Fox Met creditors' groups maintain that Judge Mack's action in disapproving the plan makes it possible for the bondholders' committee to cancel the operating contracts of Skouras and Randforce, to cancel other contracts and to proceed with actions leading to a sale of the Fox Met assets, or to take other action virtually at will. It will be argued Tuesday that the court's order should be vacated in order to restore the original jurisdiction over the committee's plan and its proceedings.

Representatives of Skouras and Randforce met with Judge Mack on Thursday to urge a reconsideration and met yesterday at the offices of Beekman, Bogue & Clark, counsel to the bondholders' committee, on the same subject.

IEPA Rentals Fight To Go to the Public

(Continued from page 1)

mass meeting "to acquaint theatregoers with the abuses heaped upon the independent theatremen." It says:

"The callous indifference of the film companies to the plight of the independents following the disastrous summer from which we are only now digging out is the straw that broke the camel's back. So long as the theatregoer and the exhibitor have to foot the bills for the $10,000 star salaries and fancy bonuses for executives, the exhibitor will find the public a sympathetic ally in his fight against ruinous film prices."

As an instrument for advancing the cause of the independent showman in this area, a new trade weekly, to be known as the *Independent Exhibitors' Film Bulletin,* will make its appearance Tuesday. It is stated the publication will be "a strictly independent exhibitors' paper, largely representing the views of the I.E.P.A." Mo Wax will edit it.

Postpone Fox Hearing

A Fox Theatres reorganization hearing scheduled for Monday was postponed yesterday to Sept. 20. The hearing is on a petition to make permanent the order admitting Fox Theatres to reorganization under the new bankruptcy laws.

Settlement Seen of RKO-K-A-O Trouble

(Continued from page 1)

Herbert B. Swope to the chairmanship of the K-A-O board.

The differences were reported to have reached a point last spring where M. A. Meehan, owner of 51 per cent of the K-A-O stock, sought to have the circuit established as a corporate entity, apart from the other RKO theatre subsidiaries. The situation gave rise to reports at the time that Meehan would dispose of his K-A-O interest to Warners.

Thursday's election, which brought Swope into the top K-A-O post, succeeding M. H. Aylesworth, RKO president, is said to be the solution to the recurrent differences and agreeable to both the Meehan and RKO interests. The election, also replaces J. R. McDonough with Major L. E. Thompson as president of K-A-O and all other RKO theatre subsidiaries, but maintains the same balance of Meehan and RKO representation on the K-A-O board as has existed heretofore.

The first result of the election is to unify the various RKO theatre subsidiaries, reestablishing them as an entity under Thompson's direction and Nate Blumberg's operation. Blumberg was elected vice-president in charge of theatre operations of all of the subsidiary companies. These, in addition to K-A-O, are B. F. Keith Corp., RKO Proctor Corp., Stadium Theatres Corp., RKO Mid-West Corp. and RKO Service Corp. All other officers elected Thursday held their same posts in all six subsidiaries.

Relieved of the theatre offices, McDonough is enabled to devote his entire time to production and will remain in Hollywood permanently. He is president of RKO Radio Pictures, Inc., and affiliated producing companies. B. B. Kahane continues as vice-president of RKO Radio Pictures and president of RKO Studio Corp.

Fifth Memphis Spot Starts Sunday Show

(Continued from page 1)

A. Lightman's New Strand, recently reopened after being shuttered two months for improvements, joined the other downtown houses in opening on Sunday.

Between the "sandwich show" plan of Sabbath operation used by the Orpheum and the Community Fund charity guarantee of $50 per theatre used by the Warner and the two Loew houses, the Strand chose the latter.

When Col. Cecil E. Vogel, Bill Hendricks and Charlie Mensing, of Loew, Warner and Orpheum, respectively, paraded into police court here as usual for the weekly fines of $25 per theatre, they were joined by E. J. Johnson, manager of the Strand.

Hearst's Newsreel Gets N. Y. Charter

(Continued from page 1)

and Hearst Metrotone News. Since the start of the latter it has been produced in association with Fox Movietone News. Under the new deal starting Sept. 1 they are separate.

May Robson to Coast

May Robson departs for the coast tomorrow. She came to New York to attend the christening of her great grandchild, Virginia May Robson.

Houses Open Generally As Business Gains

(Continued from page 1)

O.; Plaza, at Sandusky; Lake, at Cleveland, and the Aldine and Arcadia, Stanley-Warner houses, at Wilmington; and the Cameraphone, at East Liberty, Pa.

Famous Players Canadian, in addition to reopening the Royal at Guelph, Ont., and the Royal-Victoria, at Victoria, B. C., is building a new 1,000-seat house at Penticton, B. C., Steve Fitzgibbons, circuit executive, said Thursday prior to his departure for Toronto. The new house will probably be named the Capitol and will be ready for reopening the first of next year, it was said.

Two reopenings in Washington have occurred this week. They are Sidney B. Lust's Hippodrome and James J. Lake's Gayety. Slated for reopening in the near future are the Rialto and National.

At Pittsburgh, Harris Amusement Co. has opened the remodeled Alvin, one of the city's historic show houses. In New Orleans, M. N. Ash will reopen the Liberty Sept. 11. At Terre Haute, the Fourth Ave. Amusement Co. has reopened the Grand and American, leaving but two houses dark in that city and two in West Terre Haute. At Hamilton, Ont., William Marriott will reopen the Grand, Oct. 1.

The Strand, Vicksburg, is being reopened by James Adams, and the Newcomb, New Orleans, by Henry Lazarus. Shea's Bradford, Bradford, Pa., has reopened, and Herman J. Endres reopened his Little German Theatre at Buffalo.

MEMPHIS, Tenn., Sept. 7.—Having spent an estimated $25,000 on remodelling the New Strand, M. A. Lightman and partners will expend something like $30,000 more here within the next few weeks on the Lamar and Cameo.

Sinclair Details Film Relief Plans

(Continued from page 1)

well as produced by them, if he is elected governor of California.

Relief should not be confined to those who work with their hands, he declared. His aim, he declared, was to provide relief along the lines of work with which those in need are most familiar.

Under the plan, orchestras would be organized, legitimate plays would be staged and films would be produced for showing within the state among those who are being given relief employment. Such persons, he asserted, cannot now be customers for merchants or theatres and there will be no competition with business in any line.

Court Frees 31 Pickets

Thirty-one pickets, arrested Saturday night in front of the Globe and Mayfair, were released by Magistrate Louis B. Brodsky yesterday in a test case of the police decree prohibiting mass picketing of theatres. It was testified the pickets created no disorder.

Approved Pictures Total 33 for Week

(*Continued from page 1*)

of 33 certificates to as many subjects during the week ending Sept. 5. This includes 11 new features, 10 new shorts and 12 reissues of westerns.

Columbia heads the list by getting okays on 11 westerns to be reissued in addition to the current program. The company also came in for certificates on three new features and one short. Warners was the only other company securing a certificate on a reissued western, this, however was in addition to three shorts.

Fox emerged with three features; Paramount, one; Chesterfield, one; Liberty, two and Universal, one. Others to receive certificates on shorts are M-G-M, with four; RKO, one, and Principal, one.

The list follows:

Columbia

(*Features*)

"The Lone Rider."
"Men Without Law."

(*Reissues*)

"The Avenger," "Desert Vengeance," "The Fighting Sheriff," "The Dawn Trail," "The California Trail," "South of the Rio Grande," "Unknown Valley," "McKenna of the Mounted," "Silent Men," "Fighting for Justice," and "The Western Code."

(*Shorts*)

"Chick Chandler No. 2."

Fox

(*Features*)

"Love Flight" and "Don't Marry" (Spanish) and "Peck's Bad Boy," produced by Principal and released through Fox.

Warners

(*Reissues*)

"The Texas Ranger."

(*Shorts*)

"Buddy's Detective," "Show Kids" and "Shake Your Powder Puff."

M-G-M

(*Shorts*)

"Viva Willie," "The Spectacle Maker," "My Grandfather's Clock" and "Done in Oil."

Paramount

(*Features*)

"Wagon Wheels."

Liberty

(*Features*)

"Once to Every Bachelor" and "School for Girls."

Chesterfield

(*Features*)

"Green Eyes."

Universal

(*Features*)

"Secrets of the Chateau."

RKO

(*Shorts*)

"Dancing Millionaire."

Principal

(*Shorts*)

"Hollywood Movie Parade."

"Cleopatra" Pulls $152,200 in 3 Weeks

(*Continued from page 1*)

seven days, the Paramount film chalked up a gross of $72,000. At the end of the second stanza, the box-office tally was $45,200.

In Newark, the Paramount hiked its normal take of $15,000 to $20,000 and Adam Adams is holding it for another seven days. The Paramount in Brooklyn garnered slightly over $25,000 on "Cleopatra" at the end of the first week and is holding it for another week.

The Roxy's take on "We're Rich Again" was $32,600, considered very good for that house. Rainy week-end weather helped all grosses.

MOTION PICTURE DAILY'S HOLLYWOOD PREVIEW

"The Pursuit of Happiness"

(*Paramount*)

Hollywood, Sept. 7.—The old Puritan custom of "bundling," practiced during Colonial days and consisting of the courtship between a man and a maid in bed under the covers, but fully clothed, in order to save firewood, is here dramatized with robust humor and good taste.

Francis Lederer, a Hessian soldier imported by Britain to fight the colonists escapes to Connecticut and hides in the barn of Joan Bennett's father. After escaping from the guardhouse Lederer goes sparking with Miss Bennett and is caught "bundling" by the snooping Walter Kingsford, the town's blue-nose headman, but happiness triumphs.

Lederer, noted stage star, delivers a romantic performance. Elfin and tender, Miss Bennett resembles a cameo of the period. Kingsford is a standout as the Pilgrim father. Mary Boland and Charlie Ruggles team for a laugh, with Barbara Barondess excellent, as are the balance of the cast.

The production reflects care and discrimination in dialogue, decorations of the period, atmosphere and lighting. Karl Struss's photography is good. Alexander Hall directed smartly and subtly with an eye on showmanship.

As his first production for Paramount, Arthur Hornblow has produced an artistic, ticket-selling production to delight audiences with laughter and romance. Production Code Seal No. 178. Running time, 85 minutes.

"Crimson Romance"

(*Mascot*)

Hollywood, Sept. 7.—This film is packed with action, drama, comedy and other essentials necessary to deliver entertainment for all classes. It is a composite of the outstanding air thrillers, treated intelligently throughout and carrying the new twist of an American loyal to his German pal joining up with the German air forces prior to America's entry in the World War.

Moving into Germany, the film reveals the workings of the German aircraft, and a girl ambulance driver comes into the picture, splitting the lifelong friendship of the two buddies. The conflict of the two pals loving the same girl furnishes romantic and dramatic situations.

Ben Lyon and James Bush portray the two pals, with Sari Maritza as the love interest. The trio lead a fast pace for the supporting cast, consisting of Eric von Stroheim, William Bakewell, Hardie Albright, Herman Bing, Bodil Rosing, Vince Barnett, Arthur Clayton, Oscar Apfel, Purnell Pratt, Jason Robards, William von Brincken, Brandon Hurst, Crauford Kent and Jamieson Thomas, all giving creditable performances in interpreting the characters in the original of Al Martin and Sherman Lowe.

Milton Krim's treatment and Ernest Miller's excellent photography, along with the expert direction of David Howard, contribute in mounting well a picture of romance and war skillfully treated and flavored with box-office bouquet.

Previewed without a code seal. Running time, 65 minutes.

Looking 'Em Over

"The Private Life of Don Juan"

(*London Films*)

London, Sept. 7.—"The Private Life of Don Juan" was given a notable opening at the reconstructed London Pavilion last night. Douglas Fairbanks is admirable as a middle-aged Don Juan who makes the mistake of feigning death, and, reappearing, is laughed at as an impostor.

Benita Hume, as the wife who consoles him, is outstanding.

Satiric comedy and frankness of dialogue are the keynotes of the story.

Production and photography are brilliant with the most impressive scenes Juan watching his own funeral attended by a hundred women in weeds, a free-for-all fight, and a colossal theatre set when he interrupts a drama picturing his life to announce his identity.

It should enhance London's reputation in America as a producer of good box-office material.

BRUCE ALLAN

Sheehan Due Sept. 28

Winfield Sheehan is due to return from Europe on Sept. 28.

Laemmle Not to Buy Films for U. S. List

(*Continued from page 1*)

purchases are made, he makes clear in a cable from London to R. H. Cochrane, Universal vice-president, will be for European release.

The cable follows: "Have no intention of buying foreign film for Universal to release in the United States. Garbled trade paper reports that Universal is buying foreign film to bolster up its program are preposterous and harmful. Universal's program for 1934-35, as announced originally, needs no bolstering up. Report should have said that I may buy some foreign films while here for foreign distribution only. Please make this clear to the industry."

Psychologist Says Films Cause Laxity

Pictures tend to influence children toward the adoption of laxer rather than stricter standards of behavior, according to information presented yesterday by Prof. Vernon Jones of Clark University at the 42nd annual meeting of the American Psychological Ass'n at Columbia University.

The report was based on a study of children in a public school in a poor district of New Haven, Conn. Jones said in every instance but one the change in the moral attitude of the child was in the direction of the emphasis in the film shown.

Funeral of Mrs. Kann

Funeral services were held yesterday for Mrs. Maurice D. Kann, wife of the editor of Motion Picture Daily, who died on Tuesday morning at New Haven General Hospital, from injuries sustained in an automobile accident.

Rabbi Alfred Isaac Aarons, of the Congregation of Mount Sinai Synagogue, in Brooklyn, read the service at the Kann home on Central Park West. Interment was at New Mount Carmel Cemetery at Glendale, Long Island.

Gersten Services Sun.

Frank Gersten, former owner of the Prospect and Royal, Bronx, and several New Jersey houses, who died Thursday of a heart attack, will be buried tomorrow. Funeral services will be held at 10 a. m., at Riverside Memorial Chapel, 76th St. and Amsterdam Ave. Gersten, who was 60 years old, is survived by a widow and three children.

Jim Mitchell Dies at 42

Hollywood, Sept. 7.—Jim Mitchell, 42, died this morning in Hollywood Hospital after an illness of 18 months. Surviving are his widow, a daughter and a son. In newspaper work 27 years, he was for the past 10 Hollywood reporter for the *Los Angeles Examiner*. He was well known in production circles.

Tom Buckingham Is Dead

Hollywood, Sept. 7.—Tom Buckingham passed away this morning at the Queen of Angels Hospital following a gallstone operation. Thirty-eight years old, he wrote more than 50 scenarios and directed 11 pictures since 1920. He was under contract to Warners. His widow, Jane Ridgeway, an actress, survives.

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New Plan for Clearance Is Agreed Upon

Committee Includes 14 Basic Principles

Fourteen basic principles in drafting clearance and zoning schedules for all territories are outlined in a plan drawn by a committee last week. The committee comprises George J. Schaefer, chairman; Ned Depinet, Jules Levy, Neil Agnew, James R. Grainger, Al Lichtman, Felix F. Feist, A. W. Smith, Gradwell Sears, John D. Clark, Abe Montague, Edward Golden. Jack Skirball and Harry Thomas.

Campi will consider the recommendations of the committee at its meeting Thursday when it is expected

(*Continued on page* 3)

Contract Cases Up To Chicago's Board

CHICAGO, Sept. 9.—Two cases charging attempts to avoid completion of contracts through formation of new organizations were subjects of a special meeting of the grievance board. In one Universal was upheld in its protest against E. H. Christy of the Elmo Amusement Co. and the board ordered Christy to liquidate his existing contract with Universal.

In the other, brought by Paramount against C. G. Lekander, Geneva, Ill , the board determined Lekander's new corporation was not formed for the purpose of avoiding uncompleted contracts.

K. C. Board Orders Stoppage of Films

KANSAS CITY, Sept. 9.—Finding J. F. Rigney guilty of a third violation of the code's reduced admission provisions, the local grievance board

(*Continued on page* 3)

Mean to Means

Kansas City, Sept. 9.—Because of what they term his "crack-'em-down" tactics in connection with the local vote banning premiums and his activities as a member of the grievance board, independents opposed to Jay Means, president of the I. T. O., are referring to him variously as "Hugh," "Hugh Johnson" and "the General."

And not with benefit of a commission from the Governor of Kentucky.

Only 20 Holdouts Delay Ending of Jersey Duals

Only 20 holdouts are holding up the plan of Allied of New Jersey to adopt single feature policies in all New Jersey theatres. . Within the last few days RKO, Walter Reade and Leon Rosenblatt have signed the agreement to drop twin bills.

Although the plan was slated to go into effect Sept. 20, it is now figured present policies cannot be changed until Oct. 1.

A mass meeting of all New Jersey exhibitors has been called for Thursday when the dual feature committee will outline a publicity and advertising campaign. The plans call for trailers

(*Continued on page* 3)

Philadelphia Construction Is a Surprise

PHILADELPHIA, Sept. 9.—For the first time since the '29 bubble burst, theatre building is going forward here. This is considered phenomenal in view of the devastating knockout handed the business this summer by the Catholic ban.

This new construction work, however, is far different in form from the building of the '25-'29 period. Small capacities are now the rule and practically every new theatre is on the intimate basis.

The Yorktown, opened by Stanley-Warner last week in the large Elkins Park suburban district, has just over

(*Continued on page* 6)

R. I. Theatres Take $3,271,000 in Year

WASHINGTON, Sept. 9.—Thirty-seven theatres operating in Rhode Island last year had total receipts of $3,271,000 and comprised the most important branch of service activity in the state, according to figures made public tonight by the U. S. Census Bureau.

The 37 houses, it was shown, were operated by 29 proprietors and had an

(*Continued on page* 3)

Seattle Speculates On Oldknow Return

SEATTLE, Sept. 9.—Visit here of Oscar Oldknow, former head of FWC which operated the Orpheum, again brought up rumors of the reopening of the Orpheum, which has been dark for many months. During his stay here he was in conference with Frank L. Newman, Sr.. president of the Evergreen (Fox West Coast) circuit.

Gaumont Sets Deal For Toeplitz Film

By BRUCE ALLAN

LONDON, Sept. 9.—Gaumont British will handle the distribution of the first Toeplitz production, "The Dictator," throughout the British Empire and probably in America. The present agreement also gives Gaumont British an option on the distribution of all future Toeplitz product.

Shift West Picture To Chicago Theatre

CHICAGO, Sept. 9.—Mae West's "Belle of the Nineties," emblazoned for many weeks on the marquee of the dark McVickers as its opening attraction, has been switched by B. & K. to their ace Chicago theatre, where it opens Sept. 14.

The shift is viewed locally as confirmation of reports current for some time that McVickers theatre is scheduled to revert back to Jones, Linick & Schaefer, but official confirmation of this is not forthcoming from the B. & K. offices.

"Just a better booking arrangement for us," is the way B. & K. explain the change.

N. O. "Nabes" Turn To Serials, Vaude

NEW ORLEANS, Sept. 9.—Fully eighty percent of the neighborhood theatres have resorted to serials and vaudeville in order to draw respectable-sized audiences to the houses. Night clubs and beer gardens are responsible in a measure for the drop in attendance. The new tax which went into effect Aug. 26, is also expected to have a tendency to restrict attendance.

Memphis Operators Sign New Contracts

MEMPHIS, Sept. 9.—Union contracts in all Memphis downtown theatres have been extended for another year on the same basis as for the period which ended Sept. 1.

All the necessary papers have not been signed, but definite agreements to that effect have been reached. Union men worked for several days last week without contracts, pending their arrival from New York offices.

RKO and Fox Product Deal Awaits Kent

His Return from Coast Set for Wednesday

With S. R. Kent due to return from Hollywood Wednesday, it is expected the Fox product situation in Greater New York will be straightened out by the end of the week.

Deals under discussion call for Loew's to turn over to RKO the Fox output for 1934-35, provided an agreement is reached between the two circuits on disposition of theatres recently acquired in this territory by RKO.

Loew's, it is understood, is insisting that unless RKO drops recent acquisitions its lower east side and midtown theatres will be threatened. Under the proposed plan, Skouras will

(*Continued on page* 3)

RKO Will Withdraw From Detroit House

DETROIT, Sept. 9.—RKO will relinquish its lease on the Downtown, which has been closed since last spring, it was learned here yesterday. The Union Trust Co. of this city is trustee for the de luxe downtown house, which seats 2,500. It was built in 1927 by C. H. Miles and has had a turbulent career.

RKO executives stated Saturday that the company will not reopen the Downtown, Detroit, and that the lease will be abandoned as soon as legal obstacles have been overcome. Other RKO Detroit operations are not affected, it was stated.

Para. Films in B'klyn Have Peculiar Angle

All Paramount pictures which are not dated in the Paramount, Brooklyn, will go to Loew's as first run in

(*Continued on page* 3)

Antarctica

Radiograms from Admiral Byrd's expedition in Little America report the closing of a successful winter film season at the "Paramount Penguin," the expedition's recreation center, and compliment Erpi on the performance of its sound equipment under tough conditions at the nether pole.

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Detroit's Smoking Ban Up on Sept. 11

Detroit, Sept. 9.—Detroit theatre operators have until Sept. 11 to protest against the new no-smoking ordinance which comes up before the Common Council for the third time on that date.

The new ruling prohibits all smoking in theatres until special permits are granted and it is understood that it will be "tough" to get such permits. They will be allotted only to theatres of fireproof construction.

Most of the city's downtown theatres have special smoking loges or mezzanine floor seats where smoking is permitted, but all open-all-night grinds, those converted from stores allow smoking after 9 p. m.

Pantages Gets Majestic

Hollywood, Sept. 9.—Alexander Pantages has signed for 12 Majestic pictures at the Pantages. Floyd St. John closed the deal for Majestic. "Scarlet Letter" will be the first on the deal.

Majestic has completed a combination deal with John Goring of the Criterion whereby the theatre will have a choice of 12 films from Majestic and Mascot lineups next season.

"Young and Beautiful," a Mascot release, is the first film set which automatically makes the house a first run again. The film opens Sept. 19.

Looking 'Em Over

"Soviets Greet New Turkey"

(*Amkino*)

Produced cooperatively by the Leningrad Cinema Trust and the Turkish ministry of education, this film is a comprehensive pictorial history of the new Turkey. The celebration of the 10th anniversary of the republic serves as the peg on which to hang a tribute to the regime of Mustapha Kemal Pasha. As a camera record of the progress made by his people under his guiding hand, "Soviets Greet New Turkey" is an interesting exhibit.

There is little dialogue in the picture and the titles are all in English, so it should not be much of a risk for the exhibitor to run the feature on a dual program as a travelogue. A mobile camera and good photography add to the entertainment value of the film. The picture takes the audience on a tour of Turkey that winds up in Angora, the capital city. There the picture ends with a stirring parade that offers an impressive display of the country's military power.

The picture stresses Russia's participation in the celebration of the first decade of the Turkish republic.

The choir of the Angora Conservatory of Music and the Leningrad Philharmonic Orchestra supply musical accompaniment to the picture.

Running time, 65 minutes.

MOTION PICTURE DAILY'S HOLLYWOOD PREVIEW

"Gift of Gab"

(*Universal*)

Hollywood, Sept. 9.—This is another hilarious travesty on radio broadcasting, designed to extract a consistent flow of laughter from any audience, no matter how cynical. The story opens with a fast talking grifter and his stooge, who, after failing in selling a patented ink remover, inadvertently find themselves pushed into the radio broadcasting business. What follows is a series of clever blackouts behind the scenes of a radio studio.

This is made necessary to capitalize on the many top names in radio, screen and stage circles such as Ruth Etting, Phil Baker, Alexander Woollcott, Ethel Waters, Alice White, Victor Moore, Hugh O'Connell, Helen Vinson, Gene Austin, Tom Hanlon, Henry Armetta, Andy Devine, Wini Shaw, Marion Byron, Sterling Holloway, Sid Walker, Skins Miller, Jack Harling, Edwin Maxwell, Boris Karloff, Paul Lucas, Chester Morris and many others.

This large cast is headed by Edmund Lowe and Gloria Stuart, who set the pace and carry what little story there is. Aside from this large group of actors, orchids must go to Rian James, for his treatment, the trick photography of John P. Fulton and the intelligent execution of Karl Freund, the director.

A picture of this kind should appeal to all classes, especially the radio listeners, who hear but never see their favorites.

Previewed without Production Code Seal. Running time, 70 minutes.

Columbia Up One on Big Board

	High	Low	Close	Net Change	Sales
Columbia Pictures, vtc	32¾	32½	32½	+1	200
Loew's, Inc	26⅝	26⅝	26⅝	— ⅜	1,100
Paramount Publix, cts	3¾	3½	3¾	+ ¼	600
Pathe Exchange	1⅛	1	1⅛	.....	1,600
RKO	2⅜	2¼	2⅜	+ ⅛	500
Warner Bros	4⅜	4¼	4¼	.....	700

Technicolor Lone Curb Issue

	High	Low	Close	Net Change	Sales
Technicolor	12½	12½	12½	.....	100

Warner Bonds Slump 1¼

	High	Low	Close	Net Change	Sales
General Theatre Equipment 6s '40	5⅞	5⅞	5⅞	— ⅞	1
Paramount F. L. 6s '47	47	47	47	— ½	3
Paramount Publix 5½s '50	46¼	46¼	46¼	— ¾	1
Pathe 7s '37 ww	98⅝	98½	98½	— ¾	5
Warner Bros. 6s '39, wd	53	52½	52½	—1¼	3

Purely Personal

Gladys George, under contract to M-G-M, will give up the screen for a while to appear in Brock Pemberton's production of "Personal Appearance" on Broadway.

Herbert Miller, advertising manager of Jay Emanuel's *Philadelphia Exhibitor,* is no longer a bachelor. The bride was Mildred Goldstein.

Olga Baclanova has been signed for a Vitaphone short, production of which will get under way shortly in Brooklyn.

Margaret White, Monogram secretary, returns today from a vacation trip to Canada and the World's Fair.

Edward Sutherland, Paramount director, was on his way east by plane over the week-end.

Leonard Ides has sold his play "Concealment" to Warners.

Boris Morros is taking up ping pong with a vengeance.

Hal Roach plans to stay around for at least two weeks.

Warren Hymer is at the Warwick from Hollywood.

Bessie Mack is getting over a sprained back.

Sam Dembow looks as natty as ever.

Fox-Adams in Deal For Detroit Films

Detroit, Sept. 9.—The Fox and Adams, the latter one time an ace house but now a second and subsequent run grind, have closed a deal whereby the Adams will play all features from the Fox that will stand longer than a week's run.

The Adams will also play the "slough offs" that will not stand a seven-day run or 65-cent top price.

The Adams is closing for renovation and redecorating and will reopen again in two to three weeks.

Form Cambria Theatres

Dover, Del., Sept. 9.—Cambria Theatres Co., Inc., has been chartered here to operate theatres and places of amusements of all kinds, listing capital of $25,000. The incorporators are Emile Bonnot, L. M. Taby and J. A. Lauridsen of New York City.

Shafer May Be Judge

Kansas City, Sept. 9.—Abe Shafer, Edgerton, Mo., exhibitor, will soon be known as "Judge Shafer" in Platte County where he has been nominated by the Democratic county committee as candidate for judge of the eastern district of the county. Nomination is equivalent to election.

Liberty, Security in Deal

Liberty Pictures has closed a franchise deal with Security Pictures Corp. for Omaha, Des Moines and Kansas City. Budd Rogers represented the former and Max and Pinney Weintraub the latter.

New Plan for Clearance Is Agreed Upon

(*Continued from page* 1)

most of the principles, if not all, will be approved.

Appeal hearings on a number of schedules are to be set after the Thursday meeting. Los Angeles will be among the first dated for protest hearing. Detroit, Buffalo, Cincinnati and Columbus are among the others which will be set for hearings.

One of the principles set forth by the committee is understood to provide for the elimination of any reference to duals.

K. C. Board Orders Stoppage of Films

(*Continued from page* 1)

has notified all distributors to stop service to his Westport Theatre here on Sept. 22 unless he files a certificate of compliance by Sept. 21.

The board decided Rigney was using a subterfuge in accepting a cereal food box top in lieu of a 10-cent children's admission. His contract with Radio Station KMBC of Kansas City provided that they would accept box tops up to $50 value, in return giving him advertising over the air for an equal amount. In addition, Rigney gave each coupon holder a pass for the following week.

Rigney claimed it was an advertising tieup, but the board determined the plan was a device to lower admission. He previously had been ordered to cease giving out free passes or otherwise lowering the admission on pain of having his film service stopped.

Three Grievances Up To Cleveland Board

Cleveland, Sept. 9.—The grievance board, scheduled to meet Sept. 10, will meet Sept. 17. Three cases to be heard are Jack O'Connell, Toledo, against Savoy Theatre, Toledo, protesting against passes as an unfair trade practice; Alden Seitz Amusement Co., operating the State, Sandusky, against Warners, operating the Ohio, Sandusky, charging overbuying, and Center Woodland Co., operating the Haltnorth, against the Family, claiming free distribution of candy to children and the admission price of five cents for children is a double violation of the code.

The Sandusky case is the first filed with the Cleveland board on overbuying.

GFTA Protests Over Code Board Members

Atlanta, Sept. 9.—Acting upon a resolution of the G.F.T.A., Ike Katz, president, has asked an audience with Division Administrator Sol A. Rosenblatt to protest the presence of Oscar Lam and Nat Williams on the clearance and zoning and grievance boards, respectively.

They are independent unaffiliated members.

Formal protest has already been made to John C. Flinn, secretary of Code Authority.

Only 20 Holdouts Delay Ending of Jersey Duals

(*Continued from page* 1)

and posting of one sheets in all theatres announcing the new policy.

Among the 20 houses which have not yet signed are a group operated by Trio-Consolidated. If this circuit signs, it is expected the remaining holdouts will join in the move. Loew's has not yet affixed its signature, but has committed itself to the plan provided all other houses agree to go single feature.

Women in Portland Hit Block Booking

Portland, Sept. 9.—Present distribution systems were attacked by several speakers at the convention here of the Western Federation of Women's Clubs.

The discussion was led by Mrs. F. J. Kane, northwestern director of the National M. P. League, who upheld the work of the Legion of Decency, the progress of which was outlined by Rev. George Campbell. Mrs. W. A. Burk of Los Angeles, vice-chairman of the Motion Pictures Federation, was of the opinion that the quality and content of pictures could be established on a higher level by the women of the nation since they contribute 85 per cent of the money that goes into box-offices. A resolution was adopted comdemning block booking.

Floyd Act Attacked

Kansas City, Sept. 9.—A front-page blast by the *Kansas City Journal-Post* against the personal appearance of Mrs. "Pretty Boy" Floyd, wife of the outlaw, and her nine-year-old son at local Dubinsky theatres had the effect of turning what was generally considered a mediocre act into something of a sensation.

The *Journal Post's* newest attack was in line with its announced policy of crusading against "indecent" shows.

Wurtzel Unit Slows Up

Hollywood, Sept. 9.—The Sol Wurtzel unit at the Fox Hollywood Studios is slacking up on production with no new films slated for the camera until Sept. 24. "Bachelor of Arts" will probably continue shooting up to that date, with "Elinor Norton" doing a windup in several days. The unit is ahead on the current schedule, having completed four of the 17 pictures on the 1934-35 program.

New Secretary Is Named

Des Moines, Sept. 9.—Miss Elvira O'Hare of Des Moines has been appointed new secretary of the local code boards succeeding Dallas Day, who has been named assistant booker for RKO here. Miss O'Hare took up her duties Sept. 1. She has not previously been connected with the industry. The next meeting of the board is scheduled for Sept. 14.

Strauss Story Planned

Hollywood, Sept. 9.—M-G-M now has in preparation a story to be based on the life of Johann Strauss for early production. Rupert Hughes will work on the original story and also the screen play. The picture is tentatively titled, "The Life of Johann Strauss."

Laughton as Micawber

Hollywood, Sept. 9. — Charles Laughton has been assigned to the role of Micawber in M-G-M's picturization of Dickens' "David Copperfield."

Dubinsky Theatres Make Policy Shifts

St. Louis, Mo., Sept. 9.—Policy changes at Dubinsky Bros. theatres were effected here last week as follows: The Electric resumes stage shows with films on Friday, Saturday and Sunday, showing first run pictures the balance of the week. The Orpheum, second run, goes first run, while the Crystal reopens as a second run.

Price increases include a boost at the Missouri to 25 cents matinees, 35 cents nights.

Roxy-Rialto Deal Set

Contracts on the product pooling deal between the Roxy and Rialto are expected to be signed by Howard S. Cullman this week, following return of Harry C. Arthur from St. Louis today.

Arthur Mayer already has signatured the deal for the Rialto, but the Roxy signature is being held up until Arthur arrives. Several picture deals are near consummation and provide for Roxy and Rialto combination dates.

Pickford to Head Drive

Hollywood, Sept. 9. — Although Mary Pickford is now in the east, she has wired her acceptance to head the Women's Campaign Cabinet for Los Angeles' forthcoming Community Chest Drive, which will begin next month.

Dubinsky Recovering

Kansas City, Sept. 9.—Ed Dubinsky, head of Dubinsky Bros. Theatres, is recuperating from a minor operation at Menorah Hospital here. He is expected to leave the hospital in a few days.

Col. Winding Up List

Hollywood, Sept. 9.—Columbia will start work on the last film on the 1933-34 program this week when "Criminal Within" goes before the cameras. The cast lists Sheila Manners and Charles Sabin. Jack Rawlins will direct.

Columbia Signs March

Hollywood, Sept. 9.—Joseph M. March has been signed by Columbia to do the screen treatment for "Spring 3100," starring Nancy Carroll.

"Dames" Into Fifth Week

"Dames" will be held over for its fifth week at the Strand. This necessitates the postponement of the opening of "British Agent" to Sept. 19.

RKO and Fox Product Deal Awaits Kent

(*Continued from page* 1)

take over the Embassy, Port Chester, N. Y., giving it control of that situation. It is also reported Skouras may get the four Lee Ochs houses in upper Manhattan. Randforce, under the plan, is to get the Utica, Brooklyn. Whether Skouras will take the Alden, Jamaica, has not yet been determined, it is said.

Loew's may get the Apollo and Hollywood on the lower east side. These two units were recently taken from Meyer & Schneider.

RKO played Fox product last season and it is held Kent will have to approve the new deal before the Loew contracts are transferred to RKO.

The Mayfair on Tuesday night starts showing "Charlie Chan in London," first Fox picture on the new schedule to be sold away from the Roxy. The Palace will probably play Fox films after the Music Hall.

Racetrack Closing Helps R. I. Houses

Providence, Sept. 9.—Exhibitors here feel heartened over the strong grosses garnered during Labor Day week. The windup of the racetrack meet at Narragansett Park, which was attended by 53,000 persons Labor Day, a track record, seemed to have a beneficial effect on all downtown theatres. There is no doubt but that the track has made serious inroads into matinee attendances since its opening in August.

But exhibitors now have the strike to contend with and Rhode Island is a strong textile centre with 43,000 operatives out of work. Unless the walkout lasts too long, however, the strike may benefit showmen for a time as the strikers will have to do something with their leisure time.

R. I. Theatres Take $3,271,000 in Year

(*Continued from page* 1)

average of 496 full-time employes throughout the year. Total wage payments during 1933 were $735,000, of which $26,000 was for part-time employment.

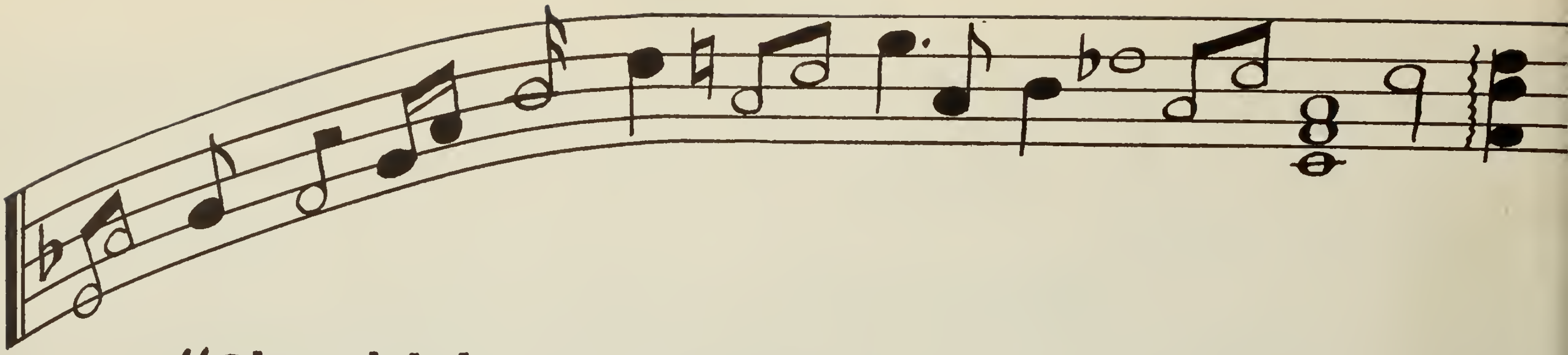
The bulk of the business was centered in the city of Providence, where 13 film theatres reported total receipts for the year of $2,330,000 and wage payments of $488,000.

Receipts totaling $1,254,000 were reported for last year by the 92 film theatres operating in Mississippi. The houses had an average of 286 employes and the total payroll for the year was $207,000.

Para. Films in B'klyn Have Peculiar Angle

(*Continued from page* 1)

that borough. Si Fabian, who operates the Fox and Strand in Brooklyn under a pooling arrangement, will not be permitted to switch Paramount films not booked into the Paramount, according to the Loew franchise.



"Should be a money-maker . . . . It's 100% entertainment."

—Hollywood Variety

"This musical show has all the assets of class A production . . . Has many hilarious comedy situations. Has general appeal"

—Motion Picture Daily

STEP OUT
WITH
UNIVERSAL

WAKE UP A

A
UNIVERSAL
PICTURE

with

RUSS COLUMBO
ROGER PRYOR
JUNE KNIGHT

Catherine Doucet, Henry Armetta, Andy Devine, Wini Shaw. Story by John Meehan, Jr. Directed by Kurt Neumann. A B. F. Zeidman Production. Presented by CARL LAEMMLE.

ND DREAM

Philadelphia Construction Is a Surprise

(*Continued from page 1*)

500 seats. The Grange, which S-W hopes to have ready by Thanksgiving day in the Broad and Olney section, is the same size. Right opposite this theatre will be the Bromley, new theatre operation of Charles Segall, independent exhibitor and president of the M. P. T. O. of the district. It will have 1,500 seats, largest of the new operations. It will probably be ready by the first of the year.

The Frolic, an independent at 52nd and Wyalusing Ave. in West Philadelphia, was reopened last week. It is about 500 seats capacity. The remodeled Venice, in South Philadelphia, will reopen this week with approximately the same capacity. The only downtown operation, the new Trans-Lux Theatre, calls for 500 seats.

Construction Before Crash

In the five years preceding the crash, the following downtown houses were built: The Boyd, 2,400 seats; the Mastbaum, 4,800 seats (now closed); the Locust, 1,300 seats; the Forrest (legit.), 2,000 seats, and the Erlanger (legit.), 2,000 seats. The Erlanger, incidentally, served RKO-Radio for a season as first run house and has played other picture contracts.

In addition to these theatres, de luxe neighborhoods were then the rule. Four of the Stanley-Warner neighborhoods, the Circle, State, Uptown and Midway, average around 2,500 seats each.

Richmond, Sept. 9.—More than $200,000 is being spent on the construction of new theatres in Virginia and neighboring states. Carolina Theatres, Inc., is reported planning a $50,000 house on the site of the old Imperial in Charlotte. The seating capacity will be 1,200. The organization has also acquired the Queen Theatre, Hendersonville, N. C., and will renovate it.

Baltimore, Sept. 9.—Through arrangements completed by J. Louis Rome, managing director of the Associated Theatres Co., two more houses have been added to that circuit—the Astor and Cameo. This now brings the total of Associated theatres to 11. Morris Zelkowitz, manager of the Cameo, has inaugurated family treat nights on Wednesday and Thursday, when prices of admission are adults 15 cents and children 10 cents. The price for children at the Astor is now 10 cents at all times and in the afternoons, including Saturdays, Sundays and holidays it is 15 cents.

Detroit, Sept. 9.—The State Theatre, one of the United Detroit houses, will reopen Sept. 14 after being closed most of the summer. The new Tower, being built by Frank Westman, is nearing completion and will be ready in about six weeks.

Columbo Left $20,000

Hollywood, Sept. 9.—The estate of Russ Columbo, who died here recently, amounted to $20,000, it was revealed here yesterday by his attorney. The singer left no will.

Hollywood Personals

Hollywood, Sept. 9.—James Wong Howe, M-G-M cameraman, ordered some military shirts while in Mexico filming "Viva Villa." They arrived the other day bearing the marker: "Made especially for Augusto Sandino," the man who caused all the trouble in Nicaragua....Mrs. Robert Montgomery doubled for her husband in life saving by rescuing four people at Lake Arrowhead when their boat capsized....Joe Keaton, Buster's pa, is doing a role in "Evelyn Prentice" at M-G-M....W. C. Fields is house hunting....Ida Lupino has the flu, which postpones her trip to Europe....the Kent Taylors back from Santa Barbara....Vin Moore will direct "Flirting With Danger" for Monogram....Henry B. Walthall back from a trip to Alabama....

"Forever" in Big Money at Hub, $31,000

Boston, Sept. 9.—"Now and Forever" at the Metropolitan took the big money here last week. The $31,000 take was $3,000 over the line. A revue with Al Norman made up the stage show.

"The Fountain" grabbed second honors at $18,000 at Keith's, and "The Cat's Paw" and "Pursued" had a strong $10,000 at the Fenway.

Total first run business was $113,000. Average is $94,000.

Estimated takings for the week ending Sept. 6:

"TAKE THE STAND" (Liberty)
"THE HUMAN SIDE" (Univ.)

BOSTON—(2,900), 25c-50c, 7 days. **Gross:** $17,000. (Average, $16,000)

"THE CAT'S PAW" (Fox)
"PURSUED" (Fox)

FENWAY—(1,800), 30c-50c, 7 days. **Gross:** $10,000. (Average, $9,000)

"THE FOUNTAIN" (Radio)

KEITH'S—(3,500), 30c-65c, 7 days. **Gross:** $18,000. (Average, $16,000)

"THE AFFAIRS OF CELLINI" (U. A.)

LOEW'S STATE—(3,700), 35c-50c, 7 days. **Gross:** $17,000. (Average, $16,000)

"NOW AND FOREVER" (Para.)

METROPOLITAN—(4,350), 30c-65c, 7 days. Revue with Al Norman. **Gross:** $31,000. (Average, $28,000)

"THE CAT'S PAW" (Fox)
"PURSUED" (Fox)

PARAMOUNT—(1,800), 30c-50c, 7 days. **Gross:** $10,000. (Average, $10,000)

Notables to G-B Party

The list of invited guests for the reception tomorrow at the Waldorf-Astoria, being given by Mark Ostrer, chairman of the board of Gaumont-British, includes Governor and Mrs. Herbert Lehman, Mayor La Guardia, Mr. and Mrs. Alfred E. Smith, Sir Gerald Campbell, British consul general; Langdon Post, Mary Pickford, Grace Moore, Mr. and Mrs. John V. A. Weaver, Mr. and Mrs. Harold Lloyd and Commissioner and Mrs. Robert Moses.

Freedman at Fox, B'klyn

Zac Freedman, former assistant to Leon Leonidoff at the Music Hall, has been appointed by Si Fabian as managing director of the Fox, Brooklyn. Al Reed is supervisor for the three Brooklyn houses under Fabian's operation, namely, the Strand, Fox and Paramount.

Fabian is enlarging his offices at the Paramount Building on Broadway.

Waxman on G-B Films

A. P. Waxman is handling special publicity on two Gaumont-British pictures.

"Forever" Is Twin Cities' Top, $12,000

Minneapolis, Sept. 9.—"Now and Forever" was a strong draw both here and in St. Paul. It took $6,000 each at the State here and at the St. Paul Paramount.

"Down to Their Last Yacht" was strong at $6,000 in the RKO Orpheum here, but it slipped to $1,500 in three days at the St. Paul Orpheum. "The Thin Man" took a good $2,000 at the Tower, St. Paul.

Six Minneapolis houses, including the new Time theatre given a tentative average of $2,500, with averages totalling $21,000, got $23,500. Five St. Paul theatres, including the reopened World, which usually take about $16,000, had a gross take of $18,000.

Estimated takings:

Minneapolis:

Week Ending Sept. 6:

"THE SCARLET EMPRESS" (Para.)

CENTURY—(1,000), 25c-40c, 7 days. **Gross:** $4,000. (Average, $4,000)

"THE NOTORIOUS SOPHIE LANG" (Para.)

LYRIC—(1,000), 20c-25c, 7 days. **Gross:** $1,500. (Average, $1,500)

Week Ending Sept. 7:

"DOWN TO THEIR LAST YACHT" (Radio)

RKO ORPHEUM—(2,900), 25c-50c, 7 days. Duncan Sisters in person. **Gross:** $6,000. (Average, $5,500)

"NOW AND FOREVER" (Para.)

STATE—(2,300), 25c-40c, 7 days. **Gross:** $6,000. (Average, $5,500)

"THE LOST PATROL" (Radio)

TIME—(300), 25c-35c, 7 days. **Gross:** $2,500. (Average, $2,500)

REVIVAL WEEK

WORLD—(400), 25c-75c, 7 days. **Gross:** $3,500. (Average, $3,500)

(Using seven pictures given highest rating by *Minneapolis Journal*.)

St. Paul:

Week Ending Sept. 6:

"NOW AND FOREVER" (Para.)

PARAMOUNT—(2,300), 25c-40c, 7 days. **Gross:** $6,000. (Average, $5,500)

"THE SCARLET EMPRESS" (Para.)

RIVIERA—(1,200), 25c-40c, 7 days. **Gross:** $3,500. (Average, $3,500)

"DOWN TO THEIR LAST YACHT" (Radio)

RKO ORPHEUM—(2,000), 20c-40c, 3 days. **Gross:** $1,500. (Average for week, $4,000)

"LITTLE MAN, WHAT NOW?" (Univ.)

RKO ORPHEUM—(2,000), 20c-40c, 4 days. **Gross:** $3,000. (Average for week, $4,000)

"THE THIN MAN"* (M-G-M)

TOWER—(1,000), 15c-25c, 7 days. **Gross:** $2,000. (Average, $1,500)

"HALSINGAR" (Swedish)

WORLD—(300), 25c-75c, 7 days. **Gross:** $2,000. (Average, $2,000)

*The Tower brought "The Thin Man" back to the Loop for a second week after an earlier Loop run.

MPTO Unit Meets Oct. 7

Memphis, Sept. 9.—The semi-annual convention of the M. P. T. O. of Arkansas, Mississippi and Tennessee will be held Oct. 7-8.

Wet Holiday Is Big Boom For Chicago

Chicago, Sept. 9.—A rainy Labor Day week-end with thousands of Fair visitors gave the Loop houses the heaviest business of the year, every first run beating par for a total take of $164,000.

The Chicago was outstanding at $51,000 with "Now and Forever" and Ken Maynard in person.

Average for the first runs without the Garrick is $126,600.

Estimated takings:

Week Ending Sept. 6:

"NOW AND FOREVER" (Para.)

CHICAGO—(4,000), 35c-50c-68c, 7 days. B. & K. stage show and Ken Maynard in person. **Gross:** $51,000. (Average, $34,600)

"THE NOTORIOUS SOPHIE LANG" (Para.)

ORIENTAL—(3,940), 25c-40c, 7 days. Sally Rand in person and new stage show. **Gross:** $24,000. (Average, $15,000)

"LIFE OF VERGIE WINTERS" (Radio)

PALACE—(2,509), 25c-35c-50c, 7 days. Lee Sims & Ilomay Bailey, Larry Rich, Collette Lyons on stage. **Gross:** $26,000. (Average, $22,000)

"AFFAIRS OF CELLINI" (U. A.)

UNITED ARTISTS—(1,700), 30c-40c-60c, 3rd week, 5 days. **Gross:** $10,000. (Average, $17,000)

Week Ending Sept. 7:

"TREASURE ISLAND" (M-G-M)

ROOSEVELT—(1,591), 25c-35c-50c, 3rd week, 7 days. **Gross:** $11,000. (Average, $11,000)

"THE CAT'S PAW" (Fox)

APOLLO—(1,400), 25c-35c-50c, 7 days. **Gross:** $16,000. (Average, $12,000)

Week Ending Sept. 8:

"MOST PRECIOUS THING IN LIFE" (Col.)

STATE-LAKE—(2,776), 20c-25c-35c, 7 days. Eddie Peabody, Bob Hall, Paul Kirkland on stage. **Gross:** $19,000. (Average, $15,000)

"HOUSEWIFE" (Warners)

GARRICK—(900), 25c-35c-40c, 7 days. **Gross:** $7,000. (Average, $5,000)

Wasserman Heads Club

Cleveland, Sept. 9.—Lew Wasserman of the publicity department has been elected president of the local Warner Club and will represent the Ohio zone at the meeting of Warner Club presidents in New York on Sept. 15. Other officers elected are: Allan Shapiro, vice-president and chairman of the entertainment committee; Marie Carey, vice-president in charge of welfare; Louis F. Weinsz, in charge of membership; Ethel Pilger, secretary; Vernon Pease, treasurer, and Evelyn Friedl in charge of contributions and loans. The board of governors consists of Nat Wolf, zone manager; Milton Mooney, Vitagraph branch manager, and Jim Mooney, feature booker.

Danville Not Affected

Danville, Va., Sept. 9.—Theatres here, the largest textile center in Virginia, have not been affected by the general strike, which has caused mills in other cities and towns in the south to be closed. Workers in the mills here did not respond to the strike call. Approximately 5,000 persons are employed in the Riverside and Dan River mills here.

Seattle Para. Robbed

Seattle, Sept. 9.—Trussing three employes of the Paramount, bandits secured $2,200. Dorothy Stevens, cashier, was tied until after the robbers had made their getaway.

Discharging an
OBLIGATION

ANY manufacturer who has won his way into the confidence of a great industry is under obligation to maintain the standards that have given his product preference. Eastman Super-Sensitive "Pan" is continually discharging such an obligation. On the lot . . . in the laboratory . . . on the screen . . . it is unfailingly delivering the same qualities that first made it a sensation in the motion-picture world. Eastman Kodak Co. (J. E. Brulatour, Inc., Distributors, New York, Chicago, Hollywood.)

EASTMAN *Super-Sensitive*
Panchromatic Negative

"Dames" Hits High Figures On the Coast

Los Angeles, Sept. 9.—Despite the outdoor draw of Labor Day grosses in first runs stepped up to the highest point in a long time. Good attractions helped.

Warners' Hollywood piled up $25,000 for the week. This is only $1,000 under the record set by "42nd Street." At the same time it ran up to $20,000 at Warners' Downtown, over par by $8,000.

Other spots developed strength. "The Cat's Paw" reached $16,400, up by $2,400, at Loew's State, and "Million Dollar Ransom" and "Bachelor Bait" pulled a fine $4,500 at Pantages.

Total first run business was $99,292. Average is $77,200.

Estimated takings for the week ending Sept. 5:

"CAT'S PAW" (Fox)
LOEW'S STATE—(2,413), 30c-55c, 7 days. Shorts, news. **Gross:** $16,000. (Average, $14,000.)

"NOW AND FOREVER" (Para.)
PARAMOUNT — (3,595), 30c-55c, 2nd week, 7 days. Stage: Fanchon & Marco revue with Al Lyons. **Gross:** $19,975. Average, $18,000.)

"DOWN TO THEIR LAST YACHT" (Radio)
RKO—(2,700), 25c-40c, 2nd week, 7 days. **Gross:** $3,000. (Average, $8,000.)

"HOUSE OF ROTHSCHILD" ((U. A.)
UNITED ARTISTS—(2,100), 30c-55c, 5 days. **Gross:** $10,417.

"DAMES" (Warners)
WARNER BROS. (HOLLYWOOD)—(3,000), 25c-55c, 7 days. **Gross:** $25,000. (Average, $14,000.)

"DAMES" (Warners)
WARNER BROS. (DOWNTOWN)—(3,400), 25c-55c, 7 days. **Gross:** $20,000. (Average, $12,000.)

"MILLION DOLLAR RANSOM" (Univ.)
"BACHELOR BAIT" (Radio)
PANTAGES—(3,000), 25c-40c, 7 days. **Gross:** $4,500. (Average, $3,200.)

Temple Sets a New Record for Omaha

Omaha, Sept. 9.—Shirley Temple is the town's favorite. She has helped the Orpheum to two records in recent months, the latest being $11,400 on "Now and Forever," the important half of a dual bill. "The Personality Kid" was the other feature.

The Brandeis slumped severely after a good Labor Day and went below the line with $3,600 for "Down to Their Last Yacht" and "Hat, Coat and Glove."

"Scarlet Empress," preceded by a brilliant campaign, opened with a smash, but died the last six days and limped in with a bare average of $4,000.

Total first run business was $19,000. Average is $15,000.

Estimated takings:

Week Ending Sept. 5:

"THE SCARLET EMPRESS" (Para.)
"HOUSEWIFE" (Warners)
WORLD—(2,200), 25c-40c, 7 days. **Gross:** $4,000. (Average, $4,000)

Week Ending Sept. 6:

"DOWN TO THEIR LAST YACHT" (Radio)
"HAT, COAT AND GLOVE" (Radio)
BRANDEIS—(1,500), 20c-25c-35c, 7 days. **Gross:** $3,600. (Average, $4,000)

"NOW AND FOREVER" (Para.)
"THE PERSONALITY KID" (Warners)
ORPHEUM—(3,000), 25c-40c, 7 days. **Gross:** $11,400. (Average, $7,500)

Late on Cooling

Kansas City, Sept. 9.—Cognizant of the fact patrons demand comfort, and this accentuated by the record-breaking heat this summer, a number of small town and neighborhood exhibitors have installed cooling systems in recent weeks. Late, perhaps, but done.

Among them are the Lindbergh, Aladdin and Gillham, Kansas City, and the Iola, Iola.

"Dames" High In Seattle on $7,000 Gross

Seattle, Sept. 9.—"Dames" did so well at the Music Hall that it was shifted to the Blue Mouse for a second week. The take was $7,000.

"Twentieth Century," at advanced prices in the Liberty, reached $4,900. Other houses couldn't maintain the pace in the face of this competition.

Total first run business was $29,650. Average is $30,300.

Estimated takings for the week ending Sept. 7:

"HE WAS HER MAN" (Warners)
"WHEN STRANGERS MEET" (Liberty)
BLUE MOUSE—(950), 25c-35c, 7 days. **Gross:** $3,100. (Average, $3,500)

"SHE LOVES ME NOT" (Para.)
FIFTH AVENUE—(2,450), 25c-40c-55c, 7 days. **Gross:** $6,250. (Average, $7,000)

"TWENTIETH CENTURY" (Col.)
LIBERTY—(1,800), 15c-25c-35c, 7 days. **Gross:** $4,900. (Average, $4,000)

"AFFAIRS OF CELLINI" (U. A.)
MUSIC BOX—(950), 25c-40c-55c, 7 days. Extended run from Music Hall. **Gross:** $3,300. (Average, $4,000)

"DAMES" (Warners)
MUSIC HALL—(2,275), 25c-40c-55c, 7 days. **Gross:** $7,000. (Average, $6,500)

"YOU BELONG TO ME" (Para.)
PARAMOUNT—(3,050), 25c-35c, 7 days. Vaudeville headed by Harry Clark's "Penthouse Follies." **Gross:** $5,100. (Average, $6,000)

New Milwaukee Cuts Are Put in Effect

Milwaukee, Sept. 9.—The policy of reducing admission prices for downtown houses has extended to the neighborhoods, with the Oriental, Tower, Shorewood and Downer announcing cuts. The first two, former Fox houses, have inaugurated an interchangeable price and entertainment policy calling for a 30-cent top on Sunday, Monday, Tuesday, Thursday, Friday and Saturday, with double features the last three days. Wednesday's top is 15 cents for the houses with a single feature.

Both the Palace and Strand, local first runs slated for early reopenings this month, continue dark with no immediate prospects for reopening. Warners have also gone in for double features at several of their neighborhood houses.

Incidentally superlatives are being tossed about handsomely in this price battle with the Wisconsin advertising "the greatest amusement buy in America," and the Riverside, not to be outdone, chirping "world's lowest prices."

"Romance" Is Philadelphia Hit, $17,500

Philadelphia, Sept. 9.—This town went for "Romance in the Rain" with a rush, with the result that the Earle gross piled up to $17,500. Normal is $12,000.

Labor Day started business into big figures. "Affairs of Cellini" ran up to $12,000 for the reopening of the Aldine, and "The Cat's Paw" was still a smash hit in its second week at the Fox with $16,000.

The only disappointments were "Girl from Missouri," which didn't make the grade at the Boyd and "Dames," which faltered after three days of its scheduled second week at the Stanley.

Total first run grosses were $71,000. Average is $60,900.

Estimated takings for the week ending Sept. 6:

"AFFAIRS OF CELLINI" (U. A.)
ALDINE—(1,200), 40c-55c-65c, 6 days. **Gross:** $12,000. (Average, $7,000)

"BLIND DATE" (Col.)
ARCADIA—(600), 25c-40c-50c, 6 days. **Gross:** $1,700. (Average, $2,400)

"GIRL FROM MISSOURI" (M-G-M)
BOYD—(2,400), 40c-55c-65c, 6 days. **Gross:** $10,000. (Average, $12,000)

"ROMANCE IN THE RAIN" (Univ.)
EARLE—(2,000), 40c-55c-65c, 6 days. Stage: NBC Revue. **Gross:** $17,500. (Average, $12,000)

"THE CAT'S PAW" (Fox)
FOX—(3,000), 30c-40c-65c, 6 days, 2nd week. Stage: Borrah Minnevitch and his Rascals. **Gross:** $16,000. (Average, $12,000)

"LADIES SHOULD LISTEN" (Para.)
KARLTON—(1,000), 30c-40c-50c, 6 days. **Gross:** $2,800. (Average, $3,500)

"DAMES" (Warner)
STANLEY—(3,700). 40c-55c-65c, 3 days, 2nd week. **Gross:** $5,000. (Average, 6 days, $12,000.)

"DRAGON MURDER CASE" (Warners)
STANTON—(1,700), 30c-40c-55c, 6 days. **Gross:** $6,000. (Average, $6,000)

"Chained" $15,000 Wow in Providence

Providence, Sept. 9.—Although believed to be financially flat on its back as a result of the horse racing season, this city dumped $15,000 into the Loew State coffers for "Chained." This is up by $3,000.

"Dames" and "Pursued" ran up to a nice $9,000 at the Majestic, and "The World Moves On" was strong at $7,700 at Fay's.

Total first run business was $43,700. Average is $40,500.

Estimated takings for the week ending Sept. 6:

"CHAINED" (M-G-M)
LOEW'S STATE—(3,800), 15c-40c, 7 days. **Gross:** $15,000. (Average, $12,000)

"DAMES" (Warners)
"PURSUED" (Fox)
MAJESTIC—(2,400), 15c-40c, 7 days. **Gross:** $9,000. (Average, $7,000)

"WORLD MOVES ON" (Fox)
FAYS—(1,600), 15c-40c, 7 days. Stage: Jones and Hare, radio stars. **Gross:** $7,700. (Average, $7,000)

"DOWN TO THEIR LAST YACHT" (Radio)
"CHEATERS" (Invincible)
RKO ALBEE—(2,300), 15c-40c, 7 days. **Gross:** $5,000. (Average, $7,000)

"YOU BELONG TO ME" (Para.)
"FUGITIVE ROAD" (Hoffman)
STRAND—(2,300), 15c-40c, 7 days. **Gross:** $6,000. (Average, $6,500)

"BACHELOR BAIT" (Col.)
"THE SHOCK"
RKO VICTORY—(1,600), 10c-25c, 4 days. **Gross:** $1,000. (Average, $1,000)

"Cleopatra" Denver High With $6,500

Denver, Sept. 9. — "Cleopatra" stirred up theatre attendance in a big way. The $6,500 take at the Denham was $2,500 over normal.

"The Cat's Paw" also was in the big money at $4,000 at the Aladdin. "The Affairs of Cellini" took a par $6,000 at the Denver.

Total first run business was $23,300. Average is $20,500.

Estimated takings for the week ending Sept. 6:

"CAT'S PAW" (Fox)
ALADDIN—(1,500), 25c-35c-50c, 7 days. **Gross:** $4,000. (Average, $2,500.)

"CLEOPATRA" (Para.)
DENHAM—(1,500), 25c-35c-50c, 7 days. **Gross:** $6,500. (Average, $4,000.)

"THE AFFAIRS OF CELLINI" (U. A.)
DENVER—(2,500), 25c-35c-50c, 7 days. **Gross:** $6,000. (Average, $6,000.)

"COCKEYED CAVALIERS" (Radio)
ORPHEUM—(2,600), 25c-35c-50c, 7 days. **Gross:** $5,000. (Average, $6,000.)

"TREASURE ISLAND" (M-G-M)
PARAMOUNT—(2,000), 25c-40c, 4 days after big week at Denver. **Gross:** $1,200.

"SHE WAS A LADY" (Fox)
PARAMOUNT—(2,000), 25c-40c, 3 days. **Gross:** $600. (Average for week, $2,000.)

"Chained" $21,100 Leader in Buffalo

Buffalo, Sept. 9.—Reopening of the Great Lakes apparently had slight effect on attendance at the cheaper houses, but the Buffalo with "Chained" again was away above normal at $21,100, while "Dames" in its second week still was over average in the Hippodrome. The American Legion convention, district Democratic rally and Four Nations celebration at nearby Fort Niagara brought many visitors to the city. Weather was comfortably cool.

Total take was $50,100. Average is $46,300.

Estimated takings for the week ending Sept. 7:

"CHAINED" (M-G-M)
BUFFALO—(3,500), 30c-55c, 7 days. Stage: Saxon Sisters; Al Bernie; Costello & Lee; Geraldine; Margie Greene; 3 Byrne Sisters; 3 Fonzals. **Gross:** $21,100. (Average, $14,300.)

"HE WAS HER MAN" (Warners)
"MURDER IN THE PRIVATE CAR" (M-G-M)
CENTURY—(3,000), 25c, 7 days. **Gross:** $6,200. (Average, $6,000.)

"HERE COMES THE GROOM" (Para.)
"CALL IT LUCK" (Fox)
COURT STREET—(1,200), 25c, 7 days. **Gross:** $1,000. (Average, $1,500.)

"THE CAT'S PAW" (Fox)
GREAT LAKES—(3,000), 25c-40c, 7 days. **Gross:** $7,400. (Average, $10,000.)

"DAMES" (Warners)
HIPPODROME—(2,100), 25c-40c, 7 days. 2d week. **Gross:** $8,100. (Average, $8,000.)

"BLIND DATE" (Columbia)
"I CAN'T ESCAPE" (Beacon)
LAFAYETTE—(3,300), 25c, 7 days. **Gross:** $6,300. (Average, $6,500.)

Johnston Due Today

W. Ray Johnston, president of Monogram, is due to arrive from the coast today. On his way back from Hollywood, Johnston stopped over at a number of key cities.

Darmour in Wednesday

Larry Darmour, production head of Majestic, arrives Wednesday with a print of "Night Alarm."

The Leading Daily Newspaper of the Motion Picture Industry

MOTION PICTURE DAILY

Alert, Intelligent and Faithful Service to the Industry in All Branches

VOL. 36. NO. 60

NEW YORK, TUESDAY, SEPTEMBER 11, 1934

TEN CENTS

Ticket Taxes In '33 Off to $14,613,414

Drop Under Previous 12 Months $907,097.88

WASHINGTON, Sept. 10. Admission tax collections during the fiscal year ended June 30, last, were $907,097.88 under those of the preceding year, totaling $14,613,414.42 against $15,520,512.30, it was disclosed tonight by the Internal Revenue Bureau.

Collections on admissions sold at the box-office, which include practically all film theatres, fell off $684,073.75, from $14,027,693.69 in the fiscal year 1933 to $13,343,619.94 in the fiscal year ended last June, it was reported.

New York, Illinois and California accounted for more than half of the total collections, it was shown.

The tax collections are grouped by the government under six classifications, box-office returns being one of

(Continued on page 7)

Studios Speed Up; 37 Features Going

HOLLYWOOD, Sept. 10.—Production for the week ending Sept. 8 increased slightly over the previous week with a total of 37 features and seven shorts in work as compared to 33 and seven for the preceding week. In addition, there were 24 features preparing and 41 in the cutting rooms. As for shorts, there were 10 preparing and 19 in the cutting rooms.

Warners, Fox and RKO headed the list for activity. Warners had six in

(Continued on page 6)

Hill-Noonan to Top First Ampa Program

The program for the Ampa's first gathering of the new season Thursday at the M. P. Club was made public yesterday. Edwin C. Hill and Tom Noonan, known on the air waves as the "Bishop of Chinatown," will be

(Continued on page 2)

Hart of Plainfield Wins Quigley Award

Ed M. Hart, city manager for the Walter Reade theatres in Plainfield, N. J., is the latest winner of the Quigley Award. His campaign on Warners' "Circus Clown" turned the trick for him in the MOTION PICTURE

(Continued on page 2)

Fear General Attack Upon NRA Control

Shoe Trade Asks End of All But Labor Rules

WASHINGTON, Sept. 10.—In what may be the opening move in a general attack upon the NRA, the shoe manufacturing industry, through its trade association and code authority, has recommended to President Roosevelt the elimination from all codes of all provisions except those dealing with labor, it was learned today.

Although many industries have complained that the trade practice provisions were useless and were not being enforced, the shoe trade is the first to deliver a concrete attack upon an endeavor which the Administration

(Continued on page 8)

Seattle Houses Use Radio for Programs

SEATTLE, Sept. 10.—Local first run houses are going strong on radio broadcasts. During the last week, regular 15-minute programs on the city's largest stations have been used by Evergreen circuit for "She Loves Me Not" at the Fifth Avenue; by John Hamrick for "Dames" at the Music Hall, and Jensen-VonHerberg for "Twentieth Century" at the Liberty. Theatre newspaper ads advise readers to tune in and listen to these broadcasts.

Kent, Off for N. Y., Denies Fox Shakeup

HOLLYWOOD, Sept. 10.—Before leaving for New York today Sidney Kent vehemently denied persistent rumors that a change in Fox's studio executive personnel was forthcoming. Winfield Sheehan upon his return here, scheduled for Sept. 28, will confer with Kent on problems affecting the studio, it is understood.

CODE CLEARANCES TO VOID CONTRACT

Campi Ruling Expected To Speed Fall Sales In Many Spots

A Code Authority ruling that clearance established for any theatre by a local clearance and zoning board supersedes whatever clearance is specified in a theatre's film contract was handed down by Campi yesterday and is expected to speed up selling in many territories where it has been impeded by local uncertainties over clearance and zoning schedules.

Numbers of exhibitors who found themselves better favored as to clearance provisions in pending schedules than they were as a result of their negotiations with distributors have delayed film buying for that reason, according to reports. With the clarification afforded by the Campi resolution as to which clearance provision is to prevail, these exhibitors are now expected to be willing to close their new season deals.

As most of the important cities are included in the list of 37 for which clearance and zoning schedules have been drawn and, hence, their clearance terms are known locally, it is believed that distributors will closely follow the clearance provisions as

(Continued on page 81

Dembow Quits Para. to Join Nat'l Screen

Sam Dembow, Jr., has resigned as vice-president of Paramount's Famous Theatres Corp. to become an executive of National Screen Service, effective Oct. 1. He has been an executive of Paramount theatre interests for nine years. His successor will be appointed today.

Dembow's resignation was announced to the press by George J. Schaefer, Paramount general manager, by telephone late last night. At the same time Dembow's letter of resignation to Schaefer was made public by the latter. Its text follows:

"As you know, for some time I have had under consideration a proposal to become associated with Na-

(Continued on page 8)

"Tango" Games Stir Ire of Kansas City

KANSAS CITY, Sept. 10.—Exhibitors here are interested in the fight being waged by the Better Business Bureau against "tango" games. At the request of the bureau and the Parent-Teachers' Council, county authorities are investigating to determine if the

(Continued on page 6)

Tracy Will Pay Fox For Loss from Delay

HOLLYWOOD, Sept. 10.—A precedent in punishing an actor for delaying production was established when Spencer Tracy agreed to pay Fox a reported sum of $25,000, plus half his

(Continued on page 2)

Grosses Leap Up to May Level in August Revival

Grosses picked up sharply during the last week in August and snapped back practically to the point where they were last May. The pickup was especially noticeable, because during July takings in 114 theatres in 22 key cities hit new lows.

The total for the week ending Aug. 23-24 was $1,241,121. For the week ending Aug. 16-17 it was $1,044,965. The gains were uniform in 17 of the 22 cities reporting, and were especially noteworthy in New York. Total for

(Continued on page 7)

New Plan on Code Cost Is Completed

A new plan for assessing producers and distributors for Code Authority costs, which is reported to be based on the annual volume of business of each company, has been completed and

(Continued on page 8)

G-B May Put 20 in Music Hall-Roxy

A possible 20 Gaumont-British pictures may play the Music Hall and Roxy under a deal closed by Mark Ostrer, G-B chairman, which already specifies four for the Radio City house and 10 for the Roxy.

The first G-B booking will be

(Continued on page 2)

Ads Turned Down on Jean Harlow's Film

HAMILTON, O., Sept. 10.—The *Hamilton Journal-News* has refused to run paid advertising or reading notices on "The Girl from Missouri," current at the Paramount, and the

(Continued on page 2)

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Roach Studios Resume

Hollywood, Sept. 10.—The Roach studios resumed operation today after a week's layoff. The third of a series of six Todd-Pitts comedies was started under the title, "Open by Mistake." Charley Chase has returned to the lot after a long absence to prepare the second of his series of eight shorts.

Blumenthal Recovering

Hollywood, Sept. 10. — Richard Blumenthal, who was stricken with blindness recently and removed to the Cedars of Lebanon Hospital, is reported recovering by his physicians. Early today a small piece of steel worked its way out of his right eyeball, relieving the congestion in both eyes.

Take Players to Frisco

Hollywood, Sept. 10.—Warners will take 14 of their contract players to San Francisco Sept. 13, for the premiere of "Dames."

The picture goes into the Paramount there and the studio plans to give them a Hollywood opening.

"U" Holds Murray Roth

Hollywood, Sept. 10. — Murray Roth, who recently directed "Million Dollar Ransom," has had his option renewed for another picture at Universal.

G-B May Put 20 in Music Hall-Roxy

(*Continued from page* 1)

"Power," with Conrad Veidt, which goes into the Music Hall on Oct. 4. On the following day, "Chu Chin Chow," with Anna May Wong, will open at the Roxy. "The Iron Duke," with George Arliss, and "Evergreen," with Jessie Matthews, have also been set for the Music Hall, with additional subsequent bookings possible.

Other G-B bookings include "Evensong" and "Princess Charming," both with Evelyn Laye; "Jack Ahoy" and "Little Friend."

U. S. Seeks Tariff Deal with Sweden

Washington, Sept. 10.—Proposed negotiation of a reciprocal trade agreement with Sweden was announced today by the State Department.

Figures on the trade between the two countries, prepared by the Department of Commerce, show that exports of pictures to Sweden last year amounted to 3,445,708 feet valued at $53,548, against 4,256,954 feet valued at $90,405 in 1929. Exports of other film, sensitized but not exposed, amounted to 352,307 feet valued at $69,880, against 647,575 feet valued at $127,768.

Two Arrests Follow In Mexican Bombing

Mexico City, Sept. 10.—Two men have been arrested in connection with the recent bombing of the Regis Cinema here during a showing of "Viva Villa." They were taken into custody at the local M-G-M offices where, police say, they were demanding money under threats of a radical campaign against the picture.

Roland on Fox Ticket

Hollywood, Sept. 10.—Gilbert Roland has been signed to a long term contract by Fox. He is now working in "Elinor Norton."

Television Paper Ready

The first issue of the new magazine, *Television Times*, will be out Sept. 19. Benn Hall, formerly of *Billboard*, is the editor.

Ads Turned Down on Jean Harlow's Film

(*Continued from page* 1)

picture is being advertised by a barrage of throwaways which have flooded the town.

This is the first case of the paper having turned thumbs down since its editorial announcement several weeks ago that it would not carry anything on pictures considered objectionable according to the standards set up by the film crusaders.

However, both advertising and readers have been carried on "Sadie McKee"; "Life of Vergie Winters" and "Riptide" since the paper announced its policy.

Hill-Noonan to Top First Ampa Program

(*Continued from page* 1)

guests of honor. Others who will be present are: James Barton and Maude Odell of the cast of "Tobacco Road," Leon Janney, Lila Lee and Jacqueline Logan.

Entertainment will be provided by the "Merry Widow Orchestra" of Bola Loblov, the song team of Furman and Lorraine and Don Galvin, the instrumentalist.

Tracy Will Pay Fox For Loss from Delay

(*Continued from page* 1)

salary of $2,500 a week for the next 17 weeks, to compensate the studio for the loss said to have been sustained by it as a result of his having held up work on "Marie Gallante" four days. The company resumed production on the film today with Tracy on the job.

Two RKO Boards Meet

Meetings of the boards of RKO Radio Pictures and Western Vaudeville Exchange, an RKO subsidiary, were held yesterday at the companies' home offices. Both meetings were described by officials of the companies as of a routine nature.

Batcheller Starts List

Hollywood, Sept. 10.—George R. Batcheller has started the new season's program of 18 Chesterfield and Invincible pictures with "The Curtain Falls," a Chesterfield starring Henrietta Crosman.

Prices on Big Board Show Drop

	High	Low	Close	Net Change	Sales
Columbia Pictures, vtc	32½	31¾	31¾	— ¾	600
Consolidated Film Industries	3	3	3	— ⅛	100
Consolidated Film Industries, pfd	12⅝	12½	12½	— ¾	400
Eastman Kodak	99¼	97½	97½	—1½	500
Fox Film "A"	11¼	10¾	10¾	.....	300
Loew's, Inc.	27	25½	25⅝	—1	3,600
Paramount Publix, cts	3¾	3½	3⅝	— ⅛	3,000
Pathe Exchange	1⅛	1	1	— ⅛	3,800
Pathe Exchange "A"	13	12	12¾	— ¼	500
RKO	2⅜	2¼	2¼	— ⅛	600
Warner Bros.	4⅜	4⅛	4¼	.....	1,500

Trans Lux Up ⅛ on Curb

	High	Low	Close	Net Change	Sales
Technicolor	12½	12	12	— ½	400
Trans Lux	2	1¾	2	+ ⅛	200

G. T. E. Bonds Rise ⅛

	High	Low	Close	Net Change	Sales
General Theatre Equipment 6s '40	6	6	6	+ ⅛	1
Paramount F. L .6s '47	47⅛	47	47⅛	+ ⅛	4
Paramount Publix 5½s '50	47½	47½	47½	— ¼	1
Pathe 7s '37, ww	99	98½	98½	.....	6
Warner Bros. 6s '39, wd	52¾	52	52	— ½	21

Purely Personal

Lucien Hubbard, M-G-M producer, who has been abroad about two months, returned yesterday on the *Bremen*, accompanied by his wife and two daughters. He will leave for the coast after a short stay here.

Eddie Sutherland has joined Monte Brice at the Warwick. He flew in from the coast over the weekend.

Wallace Smith has been signed by Fox to pen the screen version of Vina Delmar's "The Day Never Came."

Samuel Hopkins Adams has sold the screen rights of his novel, "In Person," to Radio.

M. H. Hoffman, president of Liberty Pictures, arrived in town yesterday by plane from the coast.

Major Edward Bowes will be interviewed on the air by Nellie Revel this afternoon over WJZ.

Milton H. Feld made a quick trip to Kansas City last Tuesday and was married to Shirley Vogel.

Bing Crosby returns to the air shortly in complete command of the program.

John Flinn was left without an office staff at Code Authority yesterday as a result of the holiday.

H. G. Luftig has sold his story, "Kaster Houser," to Columbia.

Joe Shea is on his way here from Hollywood by train for a vacation.

Ed Kuykendall is due in town Thursday from Columbus, Miss.

Dave Palfreyman is experimenting with cold remedies.

Hart of Plainfield Wins Quigley Award

(*Continued from page* 1)

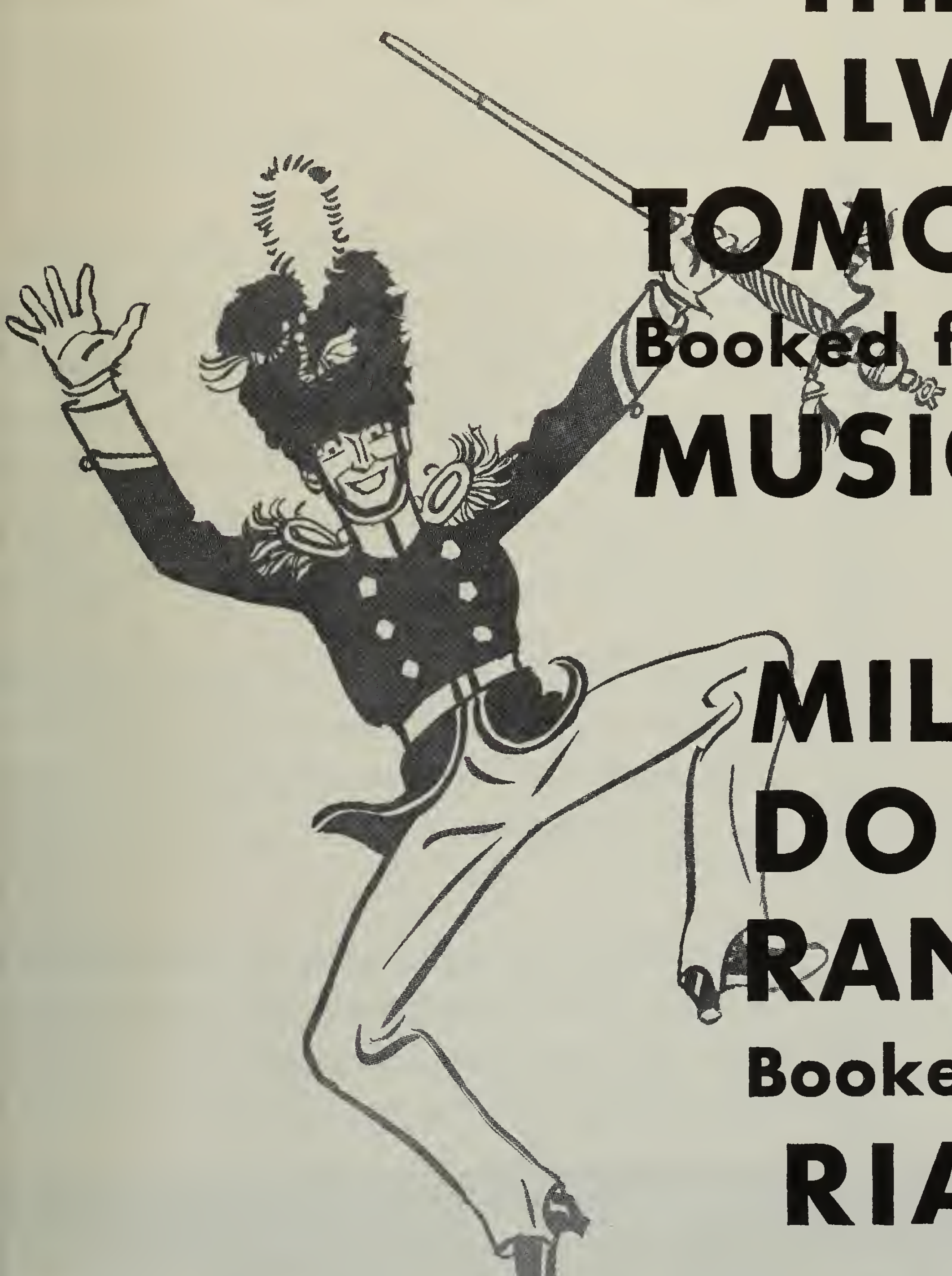
Herald's Managers' Round Table Club contest.

The judges were Al Lichtman, United Artists' vice-president and general manager; William Ferguson of M-G-M, and Eddie Alperson of Fox West Coast.

First mention went to William Legiero, manager of the Ritz, San Bernadino, Cal. Honorable mentions were given the following: Don Alexander, State, Minneapolis; Harry Botwick, State, Portland, Me.; Frank Boucher, Maryland, Hagerstown, Md.; Harry Brown, Jr., Paramount, Boston; J. L. Cartwright, city manager Halifax Theatres, Daytona Beach, Fla.; Charles W. Curran, Strand, New York; Gene Curtis and Ken Finlay, Palace, Montreal; W. H. Decker, Cambria, Johnstown, Pa.; Barney Gurnette, New Santa Cruz, Santa Cruz, Cal.; Milton Harris, State, Cleveland; S. S. Holland, Warner, Elkhart, Ind.; George N. Hunt, Jr., State, Louisville; Hadden Matthews, 69th St., Upper Darby, Pa.; F. D. Padgett, Capitol, Clearwater, Fla.; Morris Rosenthal, Majestic, Bridgeport; Sonny Shepherd, Mayfair, Miami; J. J. Stallman, Circle, Philadelphia; William V. Taylor, State, Houston, Tex., and Alfred F. Weiss, Jr., Olympia, Miami.

2 MORE UNIVERSALS

FOR BROADWAY!



THERE'S ALWAYS TOMORROW

Booked for the RKO

MUSIC HALL

•

MILLION DOLLAR RANSOM

Booked for the

RIALTO

★ ★ ★ ★

NEW YORK DAILY NEWS

★ ★ ★ ★

LIBERTY MAGAZINE

★ ★ ★ ★

UNANIMOUS PRESS CRITICISM

★ ★ ★ ★

PUBLIC OPINION

Held Over NEW YORK

Excerpts from Reviews of World

☆

"Four ★★★★ stars. Recommended without reservation to every member of the family . . . Bound to give pleasure to everybody."

New York Daily News

☆

"One of the few films I would like to see a second time. Greater praise hath no dramatic critic. From now on, Grace Moore is one of the great ladies of the screen, Thrilling! Applause such as is seldom heard in places devoted to talking film greeted Grace Moore."

New York World-Telegram

☆

"Grace Moore becomes definitely one of foremost figures of filmdom. One of season's most distinctive and distinguished cinemas . . . rarely equalled."

New York American

☆

"Surrender to the charm of ONE NIGHT OF LOVE — a definitely outstanding photoplay. It is not only attractive but a distinctive motion picture."

New York Herald Tribune

Grace Moore

A COLUMBI

LOS ANGELES — SAN FRANCISCO

Premiere at Radio City Music Hall

☆

"What a picture! What a voice! A picture you can't afford to miss; rates every superlative. A triumph for the star and everyone concerned in its fashioning." *New York Evening Journal*

☆

"It should go down as one of the outstanding pictures of the year. Grace Moore's exquisite voice is enough in itself to make ONE NIGHT OF LOVE a memorable picture." *New York Evening Post*

☆

"Worthy of the charm and talent of its stellar performer, it is indeed a joyous relief to listen to the delightful melodies in this film." *New York Times*

☆

"One of the new season's most welcome pictures, essentially a joyful picture!" *New York Sun*

☆

"Superlative entertainment . . . it has charm, humor, glamour, romance and above these, it has Grace Moore, a dazzling acquisition to the movies." *New York Daily Mirror*

TULLIO CARMINATI • LYLE TALBOT
MONA BARRIE

☆

Story by DOROTHY SPEARE and CHARLES BEAHAN
Screen play by S. K. LAUREN
James Gow and Edmund North
Directed by
VICTOR SCHERTZINGER

ONE NIGHT of LOVE

TRIUMPH

Milwaukee Operator Scale Up in Talks

MILWAUKEE, Sept. 10.—Meetings are being held here between a committee of 11 exhibitors representing all theatres in Milwaukee County and representatives of operators' local 164 in an effort to iron out a contract for the coming year.

The operators ask a 25 per cent increase, while most exhibitors contend this is impossible. The last contract expired Sept. 1.

After the committee has disposed of the wage controversy, it is slated to rehash the old and new zoning schedules in an effort to put through a plan which will end the present price war and double feature policy.

Members of the committee are H. J. Fitzgerald, Wisconsin Amusement Enterprises, Inc.; Dave Weshner, Warners; Al Kvool, Saxe Amusement Management, Inc., and John Honthaner, Ed. Maertz, Manning Silverman, R. J. Patterson, C. Washicheck, Jack Silliman, Charles Trampe and Ed Lurie, representing various independent interests.

Studios Speed Up; 37 Features Going

(Continued from page 1)

work, two preparing and eight cutting; Fox, six, two and one; RKO, six, three and two; Paramount, six, three and four; M-G-M, three, two and 10; Universal, three, three and three; Columbia, two, two and two; United Artists, zero, zero and two, while the independents registered five, eight and nine.

In the short subject division, Columbia had one in work, none preparing and two editing; M-G-M, zero, three and five; Roach, zero, zero and one; RKO, one, one and six, while independents reported five, six and five.

New Code Men Chosen

HOLLYWOOD, Sept. 10.—Three successors to the various studio code committees have been announced by Major J. O. Donovan. They are Ben Piazza, succeeding Fred Schuessler on the extras' standing committee; William Goetz has been appointed to succeed Sam Briskin, alternate on the producer-actor committee, while Daniel O'Shea succeeds Samuel Goldwyn as alternate on the producer-writer committee.

To Speak on Music Tax

CHARLOTTE, Sept. 10.—Ed Kuykendall, president of the M. P. T. O. A., will address the M. P. T. O. of North and South Carolina on the American Society of Composers', Authors' and Publishers' proposed music tax increase at a special meeting at the Chamber of Commerce here on Sept. 19. In advising its members of the meeting, the exhibitor group speaks of the contemplated tax rise as "this most serious evil."

"Chained" Cincy Smash

CINCINNATI, Sept. 10.—"Chained," at the RKO Albee, sent last week's gross soaring toward the stratosphere, the Gable-Crawford opus hitting an estimated $18,500, which is the biggest take this house has had in many moons. The picture holds over, moving to the RKO Lyric for its second downtown week.

MOTION PICTURE DAILY'S HOLLYWOOD PREVIEW

"Secret of the Chateau"

(Universal)

HOLLYWOOD, Sept. 10.—Mystery fans, particularly those willing to overlook certain liberties essayed to accentuate the motivating mystery quality, should be pleased with this one. It's a little picture, the kind destined to function in the secondary and smaller houses, to give their patrons the kind of entertainment they apparently like.

On the whole, remembering that hokum mystery is continually stressed, it is well acted and directed. While it takes in comedy, drama, suspense, excitement, melodrama and thrill, a book, an original Guttenberg Bible, is the star. All that happens, happens because of it.

After an opening that establishes story and plot character, action moves into a chateau outside Paris. As DeWitt Jennings guards the tome, everyone wants it, but it's impossible to tell which of them want it legitimately and which would steal it. It precipitates comedy which gives Alice White a few shining moments; it makes possible romance for Claire Dodd and Clark Williams. A murder and theft cast suspicion on everyone, particularly Jack LaRue, George E. Stone, Osgood Perkins, Helen Ware and Cecile Elliott. The secret is withheld until the last moment when Wiliam Faversham is revealed as the criminal.

Richard Thorpe's direction takes full theatrical advantage of the Harry Behn-Albert DeMond script. Certificate No. 13. Running time, 68 minutes.

"Badge of Honor"

(Mayfair)

HOLLYWOOD, Sept. 10.—This is typical "melodrammer" of ye good old days, but not meant for comedy. Audiences hissed the villain and cheered the hero a la the old knock-em-down-drag-out school of films.

Buster Crabbe rescues Ruth Hall from a runaway horse. She turns out to be a daughter of a local publisher. He a reporter without a job. She gets Crabbe a position on her father's paper; then follows a series of miraculous feats performed by Crabbe in supplying his sheet with exclusive stories on "suspicious characters," including his expose of the crooked managing editor of his paper.

Unauthentic atmosphere of this one makes it too ludicrous for audiences, no matter how easy to please. It is unfair to judge the cast with such material.

Spencer Gordon Bennett directed with James Brown, Jr., photographing. Running time, 62 minutes. (No certificate number.)

Looking 'Em Over

"King Kelly of the U. S. A."

(Monogram)

An amusing effort in which Guy Robertson of the legitimate field makes his debut. He does creditable work and his singing gets over well. He is ably supported by Irene Ware, Franklin Pangborn, Edgar Kennedy, Joyce Compton, Otto Harlan and Ferdinand Gottschalk. Leonard Fields directed. There is one tune which is very catchy.

The story concerns Robertson, singer and producer of "Kelly's Affairs of 1934," who meets Miss Ware, traveling incognito, on a boat, falls in love with her and later finds he has to take the mythical kingdom of Belgardia out of bankruptcy before he can marry her.

Robertson ballyhoos the King's palace as a sightseeing venture and, although partially successful in his mission, has to put over mops, the main product of the kingdom. As a radio crooner, he succeeds and wipes out the deficit.

It is an exaggerated story, but entertaining. Running time, 66 minutes.

Agrees on Family Shows

NEW ORLEANS, Sept. 10.—Following an address by L. M. Ash, manager of the Liberty, before the Better Films Committee he agreed to put on family programs Fridays. This is a start of a move by the committee to introduce family nights into all neighborhood houses.

Holiday Halts Film Suits

Hearings of motions in the Paramount Publix action against 12 defendant banks were postponed yesterday until Sept. 13 because of the Jewish holiday. Likewise, a hearing in the Fox Theatres bankruptcy reorganization proceedings was postponed to Sept. 20 for the same reason.

Compliance Sought In Cleveland Case

CLEVELAND, Sept. 10. — The first case charging failure on the part of an exhibitor to comply with a decision of the local grievance board has resulted in turning the case over to the State Compliance Board Enforcement Division. This is the case of Eddie Ramsay who was ordered by the Cleveland board on July 2 to stop presenting free shows at Creston.

The order with attendant fine for violations involves all exchanges serving the respondent as well as the respondent himself.

The only other case now filed with the grievance board is that of Jack O'Connell, Toledo, against the Savoy Theatre, Toledo, charging distribution of free passes.

"Tango" Games Stir Ire of Kansas City

(Continued from page 1)

games violate the lottery laws of Missouri. The bureau has asked the Missouri attorney general for a ruling. It is pointed out that supreme courts of California and Massachusetts have held "tango" to be a lottery in violation of state laws.

Two pretentious "tango" establishments have been opened here by a Los Angeles syndicate. The Better Business Bureau describes them as high class gambling places.

Vic Gauntlett Promoted

SEATTLE, Sept. 10.—Vic Gauntlett has been named managing director of the Fifth Avenue, key house in the Evergreen circuit, by Frank L. Newman, circuit head. Gauntlett for the last four years has been advertising and publicity director for the Fifth Avenue, Paramount and Coliseum here, and has been active in Seattle show business for many years. He will continue to supervise the advertising of the theatre which he now will direct.

Ronald Harrington, former assistant manager of the Fifth Avenue, becomes house manager.

Uptown Holding "Andy"

KANSAS CITY, Sept. 10.—The Fox Uptown is holding "Handy Andy" a second week, business the first stanza having been the biggest in weeks, despite a price boost from 25 cents to 40 cents top.

The Uptown has started running continuous shows on Saturday instead of one matinee performance as previously. The new Saturday schedule will hold for big pictures and may become permanent.

Parker Branches Out

CHARLOTTE, Sept. 10.—W. L. Parker of Amity Exchange has extended his activities, having opened distributing offices in Atlanta and New Orleans. This places him in a position to deal with producers for distribution rights in the entire South.

Fined for Sunday Show

MEMPHIS, Sept. 10. — Mike Cianciolo's Rosemary, the first suburban to open here on Sunday, accepted a fine of $25 in City Court here today, along with five downtown houses.

Ticket Taxes In '33 Off to $14,613,414

(Continued from page 1)

them. The others, with the tax receipts for each group, are as follows:

Free or reduced rate, equivalent tax on the amount for which similar accommodations are sold, $513,921.46.

Leases of boxes or seats, of the amount for which similar seats are sold, 10 per cent, $36,818.62.

Admissions sold by proprietors in excess of established price, 50 per cent of such excess, $18,266.82.

Ticket brokers' sales, for amounts in excess of the box-office price, 10 per cent, $105,877.67.

Roof gardens, cabarets, etc., for each 10 cents of the amount taxable, one and one-half cents, $594,909.91.

Collections on admissions sold at the box-office follow, by districts:

Alabama	$23,041.96
Arizona	11,732.49
Arkansas	22,519.00
First California	349,110.65
Sixth California	666,219.66
Colorado	78,669.44
Connecticut	153,522.26
Delaware	8,375.29
Florida	167,104.67
Georgia	54,022.80
Hawaii	52,545.56
Idaho	14,025.07
First Illinois	1,155,931.12
Eighth Illinois	10,683.18
Indiana	193,090.44
Iowa	51,741.73
Kansas	22,929.37
Kentucky	86,003.67
Louisiana	58,801.56
Maine	28,115.53
Maryland	461,595.61
Massachusetts	806,869.07
Michigan	334,286.01
Minnesota	76,359.99
Mississippi	5,421.43
First Missouri	209,952.82
Sixth Missouri	37,696.38
Montana	16,552.59
Nebraska	44,922.33
Nevada	6,974.92
New Hampshire	76,290.97
First New Jersey	188,931.14
Fifth New Jersey	203,961.51
New Mexico	17,374.97
First New York	705,837.53
Second New York	31,749.60
Third New York	4,493,446.11
Fourteenth New York	216,541.99
Twenty-first New York	61,296.65
Twenty-eighth New York	136,767.01
North Carolina	40,066.14
North Dakota	3,754.81
First Ohio	62,937.36
Tenth Ohio	11,454.38
Eleventh Ohio	55,272.48
Eighteenth Ohio	102,117.03
Oklahoma	58,366.89
Oregon	57,568.29
First Pennsylvania	509,537.58
Twelfth Pennsylvania	124,939.15
Twenty-third Pennsylvania	186,518.17
Rhode Island	34,802.14
South Carolina	21,881.46
South Dakota	5,966.11
Tennessee	62,058.55
First Texas	118,384.74
Second Texas	246,937.26
Utah	14,582.62
Vermont	7,355.26
Virginia	67,229.43
Washington	85,901.92
West Virginia	14,764.23
Wisconsin	99,498.58
Wyoming	10,711.28
Total	$13,343,619.94

Allvine in Chicago

Chicago, Sept. 10.—Glendon Allvine, associate producer at Radio, and Tommy Atkins, director, are here shooting preliminary shots of the Burlington Zephyr, the streamlined train. The shots will be used in the filming of "Silver Streak," based on the streamlined train.

Grosses Leap Up to May Level in August Revival

(Continued from page 1)

New York for the week ending Aug. 23-24 was $306,131. For the previous week it was $207,977.

Comparative grosses for the latest available periods:

	Week Ending Aug. 23-24		*Week Ending Aug 16-17*	
	No. Theatres	Gross	No. Theatres	Gross
Boston	6	$91,000	6	$87,000
Buffalo	5	43,000	5	37,900
Chicago	6	133,000	6	117,000
Cleveland	4	41,500	4	39,800
Denver	5	29,000	5	20,150
Detroit	4	57,600	4	58,200
Indianapolis	4	15,500	4	14,500
Kansas City	5	32,000	5	29,900
Los Angeles	6	68,690	6	63,688
Minneapolis	5	20,000	5	22.200
Montreal	5	34,000	5	30,500
New York	9	306,131	8	207,977
Oklahoma City	4	16,900	4	15,300
Omaha	3	20,400	3	16,900
Philadelphia	7	60,500	6	56,100
Pittsburgh	3	29,800	3	20,000
Portland	6	28,100	6	26,400
Providence	5	36,600	5	20,250
San Francisco	6	63,500	6	68,000
St. Paul	4	15,000	4	15,600
Seattle	6	29,100	6	56,000
Washington	6	69,800	6	49,500
	114	$1,241,121	112	$1,044,965

Comparative grosses compiled from day-to-day reports for 48 weeks show this:

Week Ending	*Theatres*	*Grosses*
September 29-30, 1933	135	$1,342,710
October 6-7	141	1,417,886
October 13-14	143	1,544,838
October 20-21	141	1,581,308
October 27-28	143	1,509,422
November 3-4	142	1,500,740
November 10-11	141	1,379,560
November 17-18	144	1,375,132
November 24-25	141	1,431,209
December 1-2	141	1,418,753
December 8-9	142	1,558,832
December 15-16	139	1,221,032
December 22-23	133	1,071,457
December 29-30	138	1,433,289
January 5-6, 1934	136	1,714,824
January 12-13	138	1,435,649
January 19-20	136	1,305,267
January 26-27	135	1,348,517
February 2-3	135	1,338,371
February 9-10	135	1,270,345
February 16-17	136	1,317,011
February 23-24	136	1,316,421
March 2-3	135	1,350,548
March 9-10	134	1,378,865
March 16-17	133	1,302,020
March 23-24	128	1,291,695
March 30-31	134	1,247,322
April 6-7	135	1,571,695
April 13-14	132	1,360,061
April 20-21	135	1,342,151
April 27-28	133	1,307,764
May 3-4	134	1,256,631
May 10-11	133	1,250,702
May 17-18	133	1,260,655
May 24-25	133	1,209,381
May 31-June 1	132	1,209,113
June 7-8	128	1,123,764
June 14-15	125	1,111,432
June 21-22	127	1,173,017
June 28-29	124	1,076,284
July 5-6	121	1,084,997
July 12-13	116	1,041,876
July 19-20	110	919,932
July 26-27	113	998,285
August 2-3	112	1,010,499
August 9-10	113	1,102,887
August 16-17	112	1,044,965
August 23-24	114	1,241,121

(Copyright, 1934, Quigley Publications)

"Loves Me" Is $25,200 Smash In Washington

Washington, Sept. 10.—Combination of the inauguration of the new movie season, Labor Day visitors, and returning vacationists upped grosses last week to a total of $68,600, but $2,600 under the average.

Top honors went to the Earle for a near record take of $25,200 for "She Loves Me Not" and a stage show headed by Chaney and Fox. So heavy was the patronage that the house ran five extra shows.

The Metropolitan, with "The Dragon Murder Case," took $5,400 for the biggest gross since last Christmas. The house also inaugurated a policy of smoking in the balcony, appreciably upping the trade in the 25-cent seats without diminishing the 40-cent stalls.

Loew's Fox held its own with a good $18,200 for "You Belong to Me." "Chained" drew only $12,400, but sufficient to send the Gable-Crawford opus into a second week. A return engagement of "Hideout" took $3,300 at Loew's Columbia.

Estimated takings, exclusive of tax, for the week ending Sept. 6:

"SHE LOVES ME NOT" (Para.)

EARLE—(2,218), 25c-77c, 7 days (plus five extra shows). Stage: Mayris Chaney and Edward Fox, Carr Brothers & Betty, Charles Carlisle, Sarah Mildred Strauss Dancers. **Gross:** $25,200. (Average, $17,600.)

"HIDEOUT" (M-G-M)

LOEW'S COLUMBIA—(1,253), 25c-40c, 7 days (return engagement). **Gross:** $3,300. (Average, $3,100.)

"YOU BELONG TO ME" (Para.)

LOEW'S FOX—(3,434), 25c-66c, 7 days. Stage: 16 Danny Dare Girls, Manjeans Internationals, Allan & Kent Foursome, Joe Morrison, Ben Blue, Raye & Maye. **Gross:** $18,200. (Average, $20,500.)

"CHAINED" (M-G-M)

LOEW'S PALACE—(2,390), 35c-77c, 7 days. **Gross:** $12,400. (Average, $14,500.)

"THE DRAGON MURDER CASE" (F. N.)

METROPOLITAN—(1,591), 25c-40, 7 days. **Gross:** $5,400. (Average, $4,100.)

"DOWN TO THEIR LAST YACHT" (Radio)

RKO-KEITH'S—(1,836), 25c-55c, 5 days. **Gross:** $4,100. (Average, $11,400.)

"Desirable" Leads In Oklahoma City

Oklahoma City, Sept. 10.—Two strong attractions enlivened the first run situation here last week. "Desirable" went $3,000 over average with an $8,000 gross at the Criterion. "Now and Forever" was $2,500 up at $6,500 in the Midwest.

Total first run business was $18,800. Average is $13,500.

Estimated takings for the week ending Sept. 8:

"DESIRABLE" (Warners)

CRITERION—(1,700), 10c-20c-36c-41c-56c, 7 days. ("Girls in Cellophane" on stage). **Gross:** $8,000. (Average, $5,000)

"NOW AND FOREVER" (Para.)

MIDWEST—(1,500), 10c-26c-36c-56c, 7 days. **Gross:** $6,500. (Average, $4,000)

"YOU BELONG TO ME" (Para.)

CAPITOL—(1,200), 10c-20c-26c-36c-41c, 3 days. **Gross:** $800. (Average, $2,500)

"PARIS INTERLUDE" (M-G-M)

CAPITOL—(1,200), 10c-20c-26c-36c-41c, 4 days. **Gross:** $1,500. (Average for week, $2,500)

"DRAGON MURDER CASE" (F. N.)

LIBERTY—(1,500), 10c-15c-26c-36c, 7 days. **Gross:** $2,000. (Average, $2,000)

Dodging Code Board Orders Hit by Campi

KANSAS CITY, Sept. 10.—Distributors have no right to alter the minimum admission stipulated in contracts once a cease and desist order has been issued against an offending exhibitor found guilty of reducing the admission.

Code Authority has established this principle in a ruling to the Kansas City grievance board which involves a complaint by C. B. McAleer, Orpheum, Parsons, Kan., that A. G. Smith, manager of Dickinson's Uptown, same city, continues to run duals at 10 cents despite the board's order to observe the contract minimum, which was established as 15 cents.

Called in for an explanation, Smith presented written authorization from two distributors permitting him to lower the contract minimum on certain pictures. Authorization was given him after the board's cease and desist order.

Code Authority stresses that contract price stipulations cannot be altered subsequent to a cease and desist order by the local board, on the ground the competitor's contracts are predicated on the price charged by the opposition and to make revisions subsequently is unfair to the competing exhibitor.

Smith has been asked to appear before the local board Sept. 12 at which time he will either comply with the original order to abide by contract provisions or show cause why his film service should not be stopped.

K. C. Board Disposes Of Five Grievances

KANSAS CITY, Sept. 10.—Resuming hearings after a recess of two weeks, the local grievance board has handed down the following decisions:

W. R. Wilhoit, Princess, Springfield, Mo., vs. Mullikin Theatre, same city; reduced admission by admitting children for five cents to Rin-Tin-Tin Club matinees. Respondent ordered to cease and desist.

Fox Midwest Theatres for Mainstreet, Lexington, Mo., vs. Eagle, same city; reduced admission by two adult admissions for 15 cents. Respondent ordered to cease and desist by Oct. 5.

Mrs. A. Baier, Lindburgh, Kansas City, vs. Fox Warwick, same city; dualling out of spot. Respondent ordered to cease and desist immediately.

Ritz, Chillicothe, Mo., vs. Dickinson, same city; reduced admission by dualling at five and 10 cents, less than contract minimum. Respondent ordered to cease and desist by Sept. 20.

Fox Midwest vs. J. W. Cotter, Bijou, Kansas City; violating existing protection by playing a Warner picture at 20 cents day and date with Fox theatres which charged 25 cents. Board found no violation, case dismissed.

Rothacker Is Coming

HOLLYWOOD, Sept. 10.—Watterson Rothacker leaves tomorrow for New York for a business conference.

New Plan on Code Cost Is Completed

(*Continued from page* 1)

will be presented to Campi for approval at the regular meeting on Thursday.

Also scheduled for submission to Campi on Thursday is the report of the clearance and zoning committee on complaints against schedules which have been found to justify appeals hearings before Campi.

Campi Rules Code Zonings Void Contract

(*Continued from page* 1)

contained in the schedules in writing new contracts. The 37 schedules which have been drawn are awaiting hearings by Campi on appeal. The hearings on the entire number may be concluded within the next month, it was said. Only two cities, Miami and Jacksonville, have clearance and zoning schedules in effect now which were drawn by local boards.

Hearings on the remainder of the 37 schedules brought to Campi on appeal are expected to be concluded rapidly. Under the planned appeal procedure, Campi will examine the schedules only from the two basic questions involved: is a theatre's zoned territory too large? and, is its clearance too great?

Some legal minds question Campi's legal right to upset a contract by a resolution of its own, as might be the effect in many cases. The resolution even affects contracts drawn prior to the making of decisions by a local clearance and zoning board. Campi officials, however, point out that the same principle is involved in the authority given a grievance board to order theatres found guilty of overbuying to give up a portion of their product under contract. Both procedures, therefore, are defended as being in the best interests of the industry as a whole and in the spirit of the National Industrial Recovery Act.

Pittsburgh Scales Are Ordered Raised

PITTSBURGH, Sept. 10.—A complaint of reduced admissions filed against the Center-Vue Amusement Co. here by E. J. Golden was sustained by the local grievance board following a hearing, and the defendant's Granada was ordered to restore the admission prices stipulated originally in the house contracts.

A similar complaint by Golden against the Roosevelt Amusement Corp. and distributors was dismissed.

Objects to Bank Night

KANSAS CITY, Sept. 10.—The first bank night complaint from out in the territory has been filed with the local grievance board by Tom Steele, manager of the Fox Midland, Pittsburgh, Kan., against J. A. Linski, Cozy, same city. Steele charges Linski awarded $50 in cash one night recently and alleges reduced admissions.

Fear General Attack Upon NRA Control

(*Continued from page* 1)

has prided itself upon as a a valuable contribution to the ethical elevation of industry.

While officials of NRA refused to comment on the shoe trade's move, fears were informally expressed that it may be the signal for a flood of similar demands which may force the Administration to take action. High government officials, however, are disturbed because of other considerations, seeing in any concerted demand for skeletonization of codes a repudiation by business of President Roosevelt's drive for greater industrial morality, giving critics of the Administration ammunition for political attack during the Congressional campaigns.

The Recovery Act expires June 16 next, unless extended by Congress, and it had been contemplated that continuance for another year at least would be recommended next winter.

Defines Premium Area

KANSAS CITY, Sept. 10.—At the request of J. D. Wineland, Mystic, Webb City, Mo., the local clearance and zoning board has defined an area for a vote on premiums as Jasper and Newton Counties in Missouri and Cherokee County, Kansas.

Dembow Quits Para. to Join Nat'l Screen

(*Continued from page* 1)

tional Screen Service. Recent developments in the affairs and prospects of that organization have convinced me that I should accept their proposal.

"Because of my long and pleasant association with Paramount I want to assure you that I have reached this conclusion only after deepest thought and with considerable reluctance in bringing that association to an end.

"Accordingly, I am offering you my resignation, effective Oct. 1. If it would not inconvenience you, I would be glad to have you accept my resignation at an earlier date, but I leave that entirely to you. My commitment, however, to National Screen makes it impossible for me to remain beyond Oct. 1.

"I cannot let this opportunity go by without expressing to you personally my genuine appreciation of the fine support and cooperation you have always extended to me. Also, through you, I want to express the same sentiment to all my friends and associates in the company.

"Even though I am leaving, I want you to know that I shall continue to have the keenest and friendliest interest in the welfare and prosperity of Paramount."

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Sales Up 25% For the Year, Says Johnston

Monogram Head Reports Gains After Tour

Monogram's sales this season are 25 per cent. greater than they were at this time last year, W. Ray Johnston, Monogram president, said yesterday on his return from a two months' tour of the company's exchanges. In addition, the company's pictures this year are commanding higher rentals than were obtained a year ago, he said.

Johnston's trip included visits at Monogram exchanges in Buffalo, Detroit, St. Louis, Kansas City, Oklahoma City, Dallas, Los Angeles, Portland, Seattle, San Francisco and Chicago. He stated that he was impressed in each territory with the

(Continued on page 2)

Oregon '33 Grosses Reached $2,904,000

WASHINGTON, Sept. 11.—Film theatres in Oregon last year numbered 103 and had total receipts of $2,446,000, it was reported today by the U. S. Census Bureau. In addition, there were 13 other theatres, classified as stage and opera, and film and vaudeville, with receipts of $458,000 for the year.

The total payroll of the film theatres was reported as $451,000 and that of the other houses as $87,000.

Portland, the largest city, reported 30 film theatres with gross receipts of $1,243,000 and three film and vaudeville houses with an intake of $268,000.

"Letter" Ban Stirs Protest by Darmour

HOLLYWOOD, Sept. 11.—Disturbed by the Legion of Decency ban on Majestic's "The Scarlet Letter," first independently made picture to receive the Production Code Seal, Larry Darmour has sent a protest to Archbishop John T. McNicholas of Cincinnati.

Darmour stated in his letter that it "was a shock" to him to learn that

(Continued on page 2)

Wisconsin Factories Busier; Payrolls Up

MADISON, Wis., Sept. 11.—Wisconsin factory employment increased 11 per cent between May 15 and June 15 while corresponding payrolls increased .9 per cent, the industrial commission

(Continued on page 6)

British Film Imports Slip 66% in Canada

U. S. Loss in Same Time Put at Only 19.1%

WASHINGTON, Sept. 11.—England's threatened expansion in the Canadian film market has suffered a setback, it is shown by reports from Assistant Trade Commissioner Avery F. Peterson in Ottawa to the U. S. Department of Commerce. In the four-month period from March through June United States films made up 66.2 per cent of the total supply.

A year ago for the same period the proportion was 58.3 per cent for this country.

Total Canadian imports declined 28.7 per cent, but the decline hit British films much harder than it did those from the United States. The American decline was 19.1 per cent, while the British drop was 66.3 per cent. On the basis of trade value, the report states, the decline for the

(Continued on page 6)

Three New Theatres Building in Canada

TORONTO, Sept. 11.—Famous Players Canadian Corp. has returned to the construction era in its Dominion-wide program. The building of three theatres is now under way, two in the west and one in Ontario. The cities where the houses will be opened shortly are Victoria and Penticton in British Columbia and Guelph, Ontario.

Schwalm Busy

Hamilton, O., Sept. 11.—John A. Schwalm, manager of the Rialto, director of the I. T. O. Ohio, member of the City Council, director of the Chamber of Commerce, a building and loan company, a local hotel association, and a real estate operator, has been named chairman of the Butler County Central Democratic Committee.

Now he is wondering how he will spend his spare time.

New Operating Pact for Fox Met in Offing

New operating contracts for Fox Metropolitan Playhouses will be prepared by counsel for the bondholders' committee of Fox Met and submitted to creditors for approval or rejection, Morton G. Bogue, attorney for the committee, disclosed yesterday at an informal hearing before Federal Judge Julian W. Mack.

Bogue declared that the committee had no definite plan for new operating contracts in mind at this time

(Continued on page 4)

Hays Confers with Fan Magazine Group

Fifteen representatives of the leading fan magazines with offices here went into conference with Will H. Hays and J. J. McCarthy at the M.

(Continued on page 2)

Workers Gain in 8 Ohio Keys; Theatres Benefit

COLUMBUS, Sept. 11.—Eight Ohio key cities showed an increase in industrial employment in August of this year as compared with 1933, according to a survey just released by the Bureau of Business Research of the Ohio State University.

The biggest gain was at Dayton, which registered 25.3 per cent. Columbus was next with 14.3 per cent. Other percentages were: Cincinnati, 13.9; Cleveland, 13.5; Toledo, 11.2 and Akron 0.4. Comparisons with July 1934 were favorable to four of the major keys, as follows: Canton, 4.7 per cent; Youngstown, 1 per cent; Cleveland, 0.3, and Columbus, 0.5. Slight decreases were shown in Akron, Cincinnati, Dayton and Toledo.

Theatre business in the larger situations has experienced a sizable upturn, especially in the major houses. This is particularly true where story material and name values are outstanding, although absence of outdoor competition, longer evenings and cooler weather are considered contributing factors to a more or less extent. Exhibitors report that the cleanup campaign has not appreciably affected attendance.

The reverse angle, however, exists at the neighborhood and subsequent

(Continued on page 6)

NRA Revision To Copy Setup Of U. S. Gov't

Three Main Branches in Presidential Plan

HYDE PARK, N. Y., Sept. 11.—A revised NRA modeled after the Federal government was given form here today after a series of conferences between the President and Administrator Hugh S. Johnson, held at the Roosevelt home here. The new setup has been set down on paper to be acted upon by Congress at its next session.

An important feature of the reorganization scheme is that it removes the NRA from the domination of a single individual. This is taken to mean that Johnson will relinquish the supreme position he at present holds in American business. However, it is understood that he will go on playing an important part in the Recovery Administration.

Just as in the Federal government, there will be three main branches to

(Continued on page 4)

Pathe Plan Delayed For Later Session

The plan of financial reorganization for Pathe Exchanges, Inc., may be submitted to an extraordinary meeting of stockholders for approval as a result of a representation of less than the amount of stock required by statute to act on the plan at the special meeting of Pathe stockholders called for yesterday.

A resolution authorizing Pathe to apply for permission to call the extraordinary session to act on the plan was voted at yesterday's meeting. The application for the session will be made within the next few days, according to Pathe officials.

General Manager of N. S. S. Dembow Post

Sam Dembow, Jr., who resigned as vice-president of Famous Theatres Corp., Paramount subsidiary, on Monday, will become general manager of

(Continued on page 2)

MacCulloch Is Head Of Central Casting

HOLLYWOOD, Sept. 11.—Jack Warner, vice-president of the M. P. Producers' Ass'n., now acting as president, today made public the appointment of Campbell MacCulloch as general

(Continued on page 4)

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Audio Increases Staff

Three new executives have been added to Audio Prod. in an expansion move. They are Frank K. Speidell as director of the industrial division, F. Lyle Goldman as director of the theatrical division, and C. H. Bradfield, Jr., who, in addition to other duties, will handle the service division.

The company has just taken on a distribution contract for the three-color Technicolor short, "Musical Moods," says W. A. Bach, president.

Wobber in Hollywood

HOLLYWOOD, Sept. 11.—Herman Wobber, in charge of Pacific coast distribution for Fox, is here from San Francisco to look over new product. He will leave here for a cross-country tour of Fox exchanges to start the Sidney Kent Drive for the new season.

Outlaws Jersey Racing

JERSEY CITY, Sept. 11.—Chancellor Luther A. Campbell here today signed a decree holding pari-mutuel betting and laws governing greyhound racing in New Jersey unconstitutional.

Queenie Smith to Para.

Queenie Smith has been signed to a long-term contract by Paramount and leaves for the coast Friday. Her first role will be in "Mississippi."

Sales Up 25% For the Year, Says Johnston

(*Continued from page 1*)

improvement in general business conditions and in theatre business, in particular. Even in the drought areas, he said, business has not been visibly retarded.

Johnston reported that Monogram production units had already completed 40 per cent. of the company's new production schedule, or 10 of the 28 features it has scheduled for new season release. Double features, he said, have not diminished in audience favor in the territories visited since a year ago. The policy, he reported, is as prevalent now as then and is receiving as much public support as ever.

Local grievance and clearance and zoning boards appear to be finding favor with exhibitors in most territories visited, Johnston, who is a member of Code Authority, reported. In some localities, however, exhibitors are complaining of delays in settling clearance and zoning schedules for the new season, he said.

Commenting on effects of the decency campaign as observed by him, Johnston said that "theatres do not appear to be affected on the whole one way or another. It may be hurting business somewhat in smaller towns, but city theatres are doing better than average business."

General Manager of N. S. S. Dembow Post

(*Continued from page 1*)

National Screen Service as soon as his affairs at Paramount can be wound up, it was stated yesterday.

The National Screen post is a newly created office, there having been no general manager of the company up to now. Morton Van Praag is general sales manager.

George Schaefer, vice-president and general manager of Paramount, announced yesterday the appointment of Y. Frank Freeman to succeed Dembow.

"Letter" Ban Stirs Protest by Darmour

(*Continued from page 1*)

the film had been placed on the list of banned pictures, since "it is regarded as an historical work and educators have long believed the work to be the most complete picture of Puritan life."

The letter continues: "If this popular historical and educational work is to be condemned, it is time to ask the league what the limitations are to be in judging pictures. If the campaign you are waging for decency is carried to its logical end, why, then, are no attempts made to bar the book from schools and public libraries?"

Editor's note—The Legion of Decency, under the direction of the Bishops' Committee, headed by Archbishop McNicholas, has issued no lists of either recommended or condemned pictures. Such lists as have been issued are local efforts, conducted in several localities.

Hays Confers with Fan Magazine Group

(*Continued from page 1*)

P. P. D. A. offices yesterday, and adjourned at 6 o'clock until next Monday.

Hays outlined industry problems and the relations of fan magazines to them, and a general discussion followed, but no decisions were reached.

Baily to Tour 20 Keys

HOLLYWOOD, Sept. 11.—Tom Baily, Paramount publicity head, leaves on a tour of 20 key cities in a week contacting drama editors, theatre and exchange men.

Baily's chief objective is to find out from the newspapers what type of press material and art is wanted.

F. & M. Seeking Deal

HOLLYWOOD, Sept. 11.—Fanchon & Marco are angling for national distribution of 10-minute pictures to be produced this year. The first will be a musical extravaganza.

Cantor Going Abroad

HOLLYWOOD, Sept. 11.—Eddie Cantor will leave next week for England.

Eastman Pfd. Up 4½ on Big Board

	High	Low	Close	Net Change	Sales
Consolidated Film Industries	3	3	3	.....	100
Eastman Kodak	97½	95½	95½	—2	900
Eastman Kodak, pfd	143	143	143	+4½	1,000
Fox Film "A"	10¾	10¾	10¾	.....	100
Loew's, Inc.	26½	25¼	26¼	+ ⅝	3,800
Loew's, Inc., pfd	91½	91½	91½	— ¼	100
Paramount Publix	3⅝	3⅜	3⅝	.....	2,200
Pathe Exchange	1⅛	1	1	.....	3,700
Pathe Exchange "A"	12⅛	12	12⅛	— ⅝	300
RKO	2⅛	2	2	— ¼	300
Warner Bros.	4⅛	4	4	— ¼	300

Trans Lux Off ⅜ on Curb

	High	Low	Close	Net Change	Sales
Technicolor	12	11¾	12	.....	200
Trans Lux	1¾	1⅝	1⅝	— ⅜	300

RKO Bonds Gain One

	High	Low	Close	Net Change	Sales
General Theatre Equipment 6s '40	5⅞	5⅞	5⅞	— ⅛	1
Keith B. F. 6s '46	57½	57½	57½	+ ½	5
Loew's 6s '41, ww deb rights	101⅞	101⅞	101⅞	— ⅛	2
Paramount Broadway 5s '51	35½	35½	35½	—2½	2
Paramount F. L. 6s '47	47	46⅜	46⅜	— ¾	2
Paramount Publix 5½s '50	47½	47	47½	.....	11
RKO 6s '41, pp	36	36	36	+1	1
Warner Bros. 6s '39, wd	51¾	51	51⅛	— ⅞	6

Purely Personal

KARL MACDONALD, Warner division manager for Latin America, returned yesterday from an eight-week business trip in South America. He visited Santa Barbara, Rio de Janeiro, Buenos Aires and points in Peru and Panama.

AMERICO ABOAF, managing director of Paramount in Italy, reaches New York aboard the *Rex* tomorrow. He will be here several weeks, conferring with JOHN W. HICKS, JR., vice-president of Paramount International, on new season product.

ROBERTO TRILLO, RKO Central American branch manager, will leave Panama tomorrow by plane for New York to sail for Spain where he will take charge of the new exchange at Barcelona.

HARRY E. O. WOOLFE, advertising manager of the *Daily Film Renter,* leaves today on the *Manhattan* for London.

HOWARD S. CULLMAN showed about 100 members of the American Ass'n of Port Authorities through the Roxy last night.

CRESSON SMITH, RKO's western and southern sales manager, is the latest Kentucky colonel by appointment of Governor RUBY LAFFOON.

J. MAXWELL JOICE, film and legitimate press agent, has just returned from the west to manage and publicize Daro & Costa, dance team.

JEAN SARGENT, just back from Hollywood with her mother, has taken an apartment at the Warwick.

WALTER VINCENT is on a two weeks' business trip over the W. & V. circuit.

SIDNEY R. KENT is due in New York today from the coast.

CAROLE LOMBARD will arrive here for a two-week vacation on Friday.

More M. P. Club Meals

Dinner is to be served every evening except Saturday at the M. P. Club, starting next Monday. Luncheon is to be served on Saturdays, beginning with Ladies' Day next Saturday.

M-G-M Signs Ray Long

HOLLYWOOD, Sept. 11.—Ray Long, former editor of *Cosmopolitan* magazine, has been signed by M-G-M to collaborate with Tod Browning on an untitled mystery story.

Ruth Goetz Story Head

Ruth Goodman Goetz has succeeded Charles Beahan as eastern scenario head of Samuel Goldwyn Productions. Gertrude Unger has been named her assistant.

Laemmle on "Showboat"

HOLLYWOOD, Sept. 11.—Carl Laemmle, Jr., intends personally to supervise the production of "Showboat," he says. Production is to start Jan. 2.

"U" Reel at the Roxy

Universal's newsreels are to be included in the Roxy program under the terms of an agreement just reached with Howard S. Cullman.

"Motion Picture Daily?..... Warner Bros. speaking.....Reserve page 3 for the most important ad you've run in weeks! We've got big news for the trade about BRITISH AGENT. Just got a wire from Washington on the first key date and we want to tell the world it's got another Warner Bros. hit! Boy! — They had 'em swimming to the Earle in that drenching downpour last Friday! It's topping 'Navy', 'Sweethearts', and.....But wait — this thing's too big for a single page. You'll have to give us PAGE 5 too.....

NRA Revision To Copy Setup Of U. S. Gov't

(Continued from page 1)

the new NRA, each of them self-sustaining and an entity in itself. These branches will be the judicial, the legislative and the executive.

The judicial department will pass on questions involving code interpretation, labor disputes and controversies having to do with the anti-trust laws.

To the legislative branch will be given the task of devising the policy of the NRA. Questions touching on the consolidation and simplification of codes will be submitted to it for final decision.

All that has to do with administration and enforcement of the NRA will come within the province of the executive branch.

While doubt prevailed today as to just what Johnson's place in the new NRA would be, it was the general understanding that he would be placed at the head of the executive branch.

Youngclaus Buying Charge Up in Omaha

Omaha, Sept. 11.—Overbuying charges filed by W. N. Youngclaus of Columbus, Neb., against General Theatres Corp., a concern in which A. H. Blank has an interest, will be heard Saturday by the grievance board.

August Herman, manager of the Muse, Omaha, has filed an appeal with Campi from the grievance decision ordering him to stop giving away groceries. The complaint was made by R. D. Goldberg, operator of the Avenue.

MacCulloch Is Head Of Central Casting

(Continued from page 1)

manager of the Central Casting Bureau as successor to David Allen, resigned.

In announcing the appointment of MacCulloch after a meeting of the board of directors of the producer organization, Warner said:

"MacCulloch will assume his duties immediately with full power to completely reorganize the Central Casting Bureau and make such changes as will tend to elevate the efficiency of this important part of the industry."

MacCulloch is an electrical engineer and a graduate of the University of Toronto. He has been acting executive secretary of the NRA State Recovery Board and of the Los Angeles Regional Labor Board. As far back as 1915 he was connected with Triangle Films in a variety of capacities. He is well known here as an authority on studio problems.

Approves Sum to Saga

Special Master John E. Joyce yesterday approved the recommendation of the trustees in the reorganization proceedings of Paramount Publix that $25,000 be assigned to the Saga Theatre Corp., which is controlled by the trustees, in settlement of claims against the theatre subsidiary.

Looking 'Em Over

"Unfinished Symphony"

(Gaumont-British)

London, Sept. 11.—This adaptation of the Cine Alliance production, directed by Willy Forst, has successfully fitted English speech to an outstanding Continental achievement, making it acceptable to the American market without sacrificing anything of its original artistry in presentation and acting. Anthony Asquith, responsible for the British production, has done an excellent piece of work, supported by the technical resources of the Gaumont-British studio.

It's another Schubert life story, a romantic story of the composer's loves being the thread on which are hung many finely staged scenes of the Vienna of tradition and sentimental legend. Outstanding is the excellent use made of the opportunity to reproduce many of Schubert's love songs, while the famous B Minor symphony is a *motif* running through the whole piece.

The story is that Schubert, loved by a pawnbroker's daughter who has helped him in his poverty, is also loved by Caroline, daughter of the Count Esterhazy, who schemes to have him appointed her music teacher. She makes love by singing to him his own songs, and tells her father that she intends to marry the musician, but the nobleman sends the poverty-stricken Schubert about his business. Caroline marries a Hungarian noble and Schubert leaves unfinished the symphony with which his memories of her are associated.

Marta Eggerth gives an outstanding performance as Caroline and Hans Jaray looks like Schubert while giving a very sensitive picture of the unworldly musician. The musical side, which is a big selling feature, is magnificently handled. The Vienna Philharmonic Orchestra, the Wiener Saengerknaben, the Vienna State Opera chorus and the "Gyula Howarth" gypsy band are introduced.

BRUCE ALLAN.

"Petersburg Nights"

(Amkino)

This Soyusfilm production, adapted from the Dostoyevski novel, "White Nights," cannot be of more than limited appeal to American audiences. That it is thoroughly morbid and solemn is handicap enough in its quest for American support. But on top of that it runs interminably. After a while the film's heavy dramatic quality becomes tiresome and a little strained.

The picture is a veiled attack against the commercialization of art under the Russian aristocracy and the supression of pure genius. The theme is illustrated by the struggle of a violinist to attain success without sacrificing his integrity as an artist. It is a hopeless task, and he turns out a pitiful failure, while a rival, willing to make concessions for the sake of his financial well-being, becomes a popular idol. In his bitterness the thwarted genius turns to the cause of the Russian workers. In the end he finds some joy in the realization that the song of the laboring classes was a composition written by him in his younger days.

There are plenty of English titles.

The acting is highly dramatic. The cast includes B. Dobron Ravov, A. Gorunov, K. Tarasovna and A. Fenin. Direction is credited to Gregory Roshal and V. Stroyeva. Running time, 97 minutes.

"Moonstone"

(Monogram)

Done in the conventional manner, but minus the usual hokum, this mystery thriller affords good entertainment.

The direction of Reginald Barker builds up to a satisfying and novel climax and Robert Planck's photography is better than average. The cast, well chosen and competent, includes David Manners, Phyllis Barry, Jameson Thomas, Charles Irwin and Gustav von Seyffertitz.

The plot revolves around a valuable gem, a moonstone, that Miss Barry has inherited and that Manners has just fetched from India. It is undecided whether the gem shall be used to pay off the debts of Miss Barry's father or whether she shall be allowed to keep the stone for herself. It is stolen. The second half of the picture is concerned with the recovery of the moonstone under the direction of Irwin, a Scotland Yard inspector. He finally succeeds in his efforts and the crime is pinned on Thomas and von Seyffertitz. The final shot shows Miss Barry in Manners' arms in the typical happy ending.

"Moonstone" should have no trouble in small towns and neighborhood houses. Running time, 60 minutes.

(*Additional reviews on page 6*)

New Operating Pact for Fox Met in Offing

(Continued from page 1)

and was unable to say, as a result, whether the new contracts, when drawn, would displace Skouras and Randforce as operators of the circuit. It is known, however, that the committee has made repeated attempts in the past few weeks to negotiate a new clause for the present operating contracts with Skouras and Randforce which would permit the committee to dispose of the circuit after one year. Attempts were also made by the committee to obtain court authorization to cancel the existing agreements.

Archibald Palmer, attorney for minority bondholders, charged the committee with "common greediness" at yesterday's hearing and asserted he would oppose the drawing of new operating contracts by that group.

Judge Mack continued the hearing until today. Also scheduled for hearing before Judge Mack today is a motion to make permanent the temporary order admitting Fox Met to reorganization under the new bankruptcy laws. Indications are that this hearing will be postponed and that the application may be opposed in favor of returning the circuit to its former equity receivership status.

"Forever" $6,500 Indianapolis Lead

Indianapolis, Sept. 11.—With reopening of the Indiana and inauguration of stage shows at the Lyric, the theatre outlook took on a brighter hue last week. "Now and Forever" led the gross parade with $6,500, over average by $2,500.

Both "The Cat's Paw" and "The Affairs of Cellini" were strong at the Apollo and Palace, respectively.

Total first run business was $28,000. Average without the Indiana and Lyric is $11,000.

Estimated takings for the week ending Sept. 8:

"THE CAT'S PAW" (Fox)
APOLLO—(1,171), 25c-40c, 7 days, 2nd week. **Gross:** $3,000. (Average, $2,500)

"NOW AND FOREVER" (Para.)
CIRCLE—(2,638), 25c-40c, 7 days. **Gross:** $6,500. (Average, $4,000)

"SHE LOVES ME NOT" (Para.)
INDIANA—(3,133), 25c-40c, 7 days. **Gross:** $6,000.

"THEIR BIG MOMENT" (Radio)
LYRIC—(1,896), 25c-40c, 7 days. Stage show. **Gross:** $7,500.

"THE AFFAIRS OF CELLINI" (U.A.)
PALACE—(2,431), 25c-40c, 7 days. **Gross:** $5,000. (Average, $4,500)

Seating Firm Cuts Loss

The American Seating Co. reports a net loss of $39,474 after taxes and all charges for the second quarter of the year. This compares with a loss of $106,150 for the same quarter of 1933 and with a loss of $81,305 for the first three months of this year.

Switch Football Title

Hollywood,. Sept. 11.—A title switch at Radio has "The Football Fool" as the final release title on "Kickoff."

".....so we can show the folks that Washington wire word for word. Listen!.....'Despite terrific downpour lasting all day BRITISH AGENT drew tremendous crowds giving us bigger opening day than "Twenty Million Sweethearts","Here Comes The Navy"or "___ _____ _ ___"(that stands for the strongest opposition show of recent weeks). Patrons came in droves in cars and cabs making this gala day for parking garages and taxi drivers. Last performance started with hundreds standing necessitating use of every available bit of space. Warner Bros. have stirring dramatic hit in British Agent drawing applause at conclusion of every showing'. .... You can hear that coin jingling all the way up here, can't you sweetheart? But that's not all. We'll have to have PAGE 7 too.....

British Film Imports Slip 66% in Canada

(*Continued from page* 1)

United States was 29.1 per cent and for the United Kingdom 66.6 per cent.

French film imports into Canada are not classified, according to the report, but during the fiscal year ended March 31 imports from France into Canada amounted to 748,249 feet, valued at $59,353, as compared with 890,803 feet valued at $70,763, in the previous 12-month period.

Summer business was only fair, Peterson's report goes on, with double bills prevailing generally, but fall improvement is expected with a decrease of competition from outdoor sports. Daylight saving time has tended to concentrate attendance on late evening shows, says the report.

Three in Nebraska Shift; Three Close

OMAHA, Sept. 11.—Mrs. Charlotte Ripp has taken over the Owl at Bancroft, Neb, has renamed it the Bancroft and is now operating the house.

F. W. Anderson is now operating the Orleans at Orleans, Neb. H. C. Ebmeier was the former owner.

The Dean at York, Neb., has been taken over by Ross Lobart.

The Uptown in Omaha has been transferred to the Avon Theatre Corp, by R. D. Goldberg.

Three Nebraska houses have closed. They are: Crystal at Peru, Community at Campbell and Star at Brainerd.

Columbia Will Take Elliott China Film

HOLLYWOOD, Sept. 11.—Clyde Elliott has closed a deal with Columbia for release of the contemplated China adventure story titled "China Roars."

Elliott will be financed by Erpi. He will leave here Oct. 15 and probably will be away eight months. The script has been approved by the Chinese consul here.

Fire in Denver Oriental

DENVER, Sept. 11.—Fire, thought to have been caused by defective wiring, did $15,000 damage to the Oriental, one of the Civic group owned by Joe Dekker and A. P. Archer. Archer noticed the blaze, and threw on the house lights and asked the audience to march out quietly, which they did, but not until several were burned, some severely enough to be taken to hospitals.

Charles G. Doty, publicity director, received second degree burns when he attempted to fight the fire with extinguishers. The backstage sound equipment and the organ were destroyed. The sound equipment was replaced and the theatre was opened the next day, Sunday, for matinee.

Para. Re-Signs Karns

HOLLYWOOD, Sept. 11.—Paramount has written a new long-term contract, with a tilt in salary, for Roscoe Karns. His last picture for Paramount was "Shoot the Works."

Looking 'Em Over

"Bride of the Lake"

(*Amer.-Anglo Prod.*)

One of the better foreign productions, it should appeal to the Irish-American trade, as well as general audiences. The film is based on the play, "Colleen Bawn," by Dion Boucicault, and is filmed on Irish backgrounds with native ballads.

The story is that of a love affair between Sir Patrick Creegan and a peasant maid, Eileen. He is blocked at every angle in his attempts to marry her, especially by his many debts. When on the verge of losing his ancestral home by his refusal to marry a wealthy girl, Sir Patrick extricates himself from his difficulties by winning a steeplechase from his largest creditor.

The cast includes Gino Malo, Stan Halloway, John Garrick and Stanley Perrins. Maurice Elvey directed this Julius Hagen production with charm and finesse. Running time, 65 minutes.

"You Belong to Me," last night's preview at the Rialto, was reviewed by wire from Hollywood on Aug. 10.

"Charlie Chan in London," last night's preview at the Mayfair, was reviewed on Sept. 5.

Shorts

"The Old Pioneer"

(*M-G-M*)

HOLLYWOOD, Sept. 11.—A "Happy Harmonies" cartoon in color.

An "old timer" relates his experiences with the Indians during the rush of '49 to a newsboy. Entire short seems to be a technical achievement with the action of the drawings particularly smooth. Outstanding is the sequence of the Indian war dance with shadows playing on the teepees.

Good entertainment.

"Nosed Out"

(*Roach-M-G-M*)

HOLLYWOOD, Sept. 11.—An acceptable comedy starring the famed Irvin S. Cobb.

Comedy deals with Captain Cobb, a river boat captain elected mayor through a fluke. Many situations are amusing but a few might prove too strong for those tired of vegetable-slinging type of comedy. Cobb deserves better material.

Code seal 144. Running time, 18 mins.

"Mike Fright"

(*Roach-M-G-M*)

HOLLYWOOD, Sept. 11. — Director Gus Meins got the little tots to give their best to this one.

Comedy shows the trials of "our gang" with their first appearance over the radio with the best comedy performance of the "short" season contributed by five-year-old Spanky McFarlane.

Production seal No. 33. Running time, 18 mins.

"Good Luck-Best Wishes"

(*Educational*)

Radio fans should go for this one in a big way for it features the well known Pickens Sisters and Ferde Grofe's orchestra. The story is negligible for it only serves as a means of letting the girls sing to the tune of Grofe's music. Solly Ward, cast as Patti Pickens' love interest, handles two songs nicely. Running time, 18 mins.

"The Spectacle Maker"

(*M-G-M*)

HOLLYWOOD, Sept. 11.—A colortone musical well directed by John Farrow.

Story has an old spectacle maker cast an eyeglass through which one can see only beauty. Finding his genius is causing sorrow he devises a glass through which only the truth can be seen. This one, too, causes sorrow and he destroys both, only after being saved from death for dealing in black magic at the hands of the King and Queen (mythical) whom he had offended through his inventions.

Entire short is beautiful, including color, backgrounds, and music by Herbert Stothard. Good performances from Christian Rub as the genius, Cora Sue Collins as the little princess and Douglas Scott as Rub's grandson.

"The Spectacle Maker" should be a good asset to any program. Running time, 21 mins.

"Pro-Football"

(*M-G-M*)

HOLLYWOOD, Sept. 11.—An old and never failing subject for a short, the field tricks and team work of the football eleven. Pete Smith makes this one particularly interesting with his trenchant remarks and use of slow motion.

Code seal No. 99. Running time, 9½ mins.

"Taking Care of Baby"

(*M-G-M*)

HOLLYWOOD, Sept. 11.—A comedy headed right down the alley of every mother in the audience with the footage given over entirely to closeups of beautiful babes and their care. Here is a short with appeal. Explanatory remarks by Pete Smith good.

Code seal 98. Running time, 9 mins.

"Tulip Time"

(*M-G-M*)

HOLLYWOOD, Sept. 11.—A FitzPatrick travel-talk in color.

A breath-taking pictorial of Holland, its quaint streets, fishermen, and hundreds of fields of vari-colored tulips. Sheer beauty of this one should capture any audience.

"The Discontented Canary"

(*A Happy Harmonies Cartoon*)
(*M-G-M*)

HOLLYWOOD, Sept. 11.—A pet canary escapes from his cage, encounters many amusing dangers in the big, bad forest, and after rescue from a cat, is glad to return to his barred home. Color and facial expression of the jungle folk particularly good. Entertainment value high. Running time, 9 mins.

"Strikes and Spares"

(*M-G-M*)

HOLLYWOOD, Sept. 11.—Here's one for the bowler, and the one who doesn't bowl. Both will like it. Pete Smith shows the audience that the professional bowler has as many tricks up his sleeve as the professional card shark or the professional billiard player.

Code seal No. 96. Running time, 9 mins.

Workers Gain In Eight Big Ohio Centers

(*Continued from page* 1)

spots, according to exhibitor reports. Business is not comparable with the same season last year, and it is felt that the film crusade is partially responsible for this, since residents of the smaller communities are in closer contact with the church. On the other hand, exhibitors anticipate a pickup in business as soon as they are in position to play the new season product, the buying of which has been postponed in certain situations pending definite settlement of the clearance schedules now on appeal to Campi. Other situations, where new product has been bought to be played "on the nose" in accordance with protection schedules, are counting on returns proportionately comparable with the first run takes.

Wisconsin Factories Busier; Payrolls Up

(*Continued from page* 1)

announces. Factory payrolls in June were higher than in any month since June, 1931, the commission said.

Compared with June of last year the number of workers in Wisconsin factories increased 21 per cent and factory payrolls were 36.8 per cent greater.

From May 15 to June 15, both employment and payroll totals increased in Madison, Beloit, Chippewa Falls, La Crosse, Plymouth, Rhinelander, Watertown and Wausau.

Exhibitors anticipate the additional money in circulation will reflect itself at the box-office.

Donaldsonville to Open

DONALDSONVILLE, La., Sept. 11.—The remodeled Grand will open here this month under management of Harp and DeLas. The house has been rewired.

".....so we can remind the boys that BRITISH AGENT is the show that has both Kay Francis and Leslie Howard in the 20-star cast directed by Michael Curtiz, and that it was inspired by a best-seller that was talked and written about all over the world! And then we'll want to get in something to the effect that 'Dames' and 'Here Comes the Navy' are doing very nicely too, thank you.....and that a dozen more big shows, like Stanwyck in 'A Lost Lady', and Joe E. Brown in '6-Day Bike Rider', and Kibbee and MacMahon in 'Big Hearted Herbert', and Dick Powell and Josephine Hutchinson in 'Happiness Ahead', Franchot Tone and Jean Muir in 'Gentlemen Are Born', and Jimmy Cagney in 'A Perfect Week-End', are coming all in a bunch from WARNER BROS."

Take 'em on these 3 Great Laugh Cruises

WILL MAHONEY

IN

"She's My Lilly"

{I'M HER WILLIE}

with Bob Geraghty • • Five Spirits of Harmony
Marion Martin • • • Mountain Melodeers

Produced by
AL CHRISTIE

Presented by
E. W. Hammons

"GOOD LUCK BEST WISHES"

The PICKENS SISTERS and SOLLY WARD

in a musical comedy that combines exceptional action and fun with four great new song hits.

What if vacation is over! Here's all the fun of another 7-day pleasure cruise, all wrapped up in two reels. Will Mahoney at his best, plus a big surprise hit in the singing of the Five Spirits of Harmony. It will be one of your biggest comedy hits of the season.

Educational Pictures
"THE SPICE OF THE PROGRAM"

Distributed in U. S. A. by FOX Film Corporation

"HELLO, SAILORS"

WITH

TOM PATRICOLA and BUSTER WEST

"Lively and snappy comedy . . . The dancing put on by the boys is a great stepping exhibition . . . fast and well gagged." *Film Daily*

The Leading Daily Newspaper of the Motion Picture Industry

MOTION PICTURE DAILY

Alert, Intelligent and Faithful Service to the Industry in All Branches

VOL. 36. NO. 62 NEW YORK, THURSDAY, SEPTEMBER 13, 1934 TEN CENTS

Sisk Is Made McDonough's Studio Aide

S. Barrett McCormick in Publicity, Ad Post

Robert F. Sisk has been named assistant to J. R. McDonough, president of RKO Radio Pictures, and will resign as RKO advertising director to assume his new post within the next few days.

S. Barrett McCormick will be in charge of Radio Pictures' advertising and John A. Dowd will handle theatre advertising. McCormick went to RKO with Sisk three years ago.

Robert F. Sisk

(Continued on page 4)

Heyl, Photophone, Quits as Manager

E. O. Heyl, general manager of RCA Photophone, resigned that post yesterday, effective immediately.

Heyl will be succeeded by J. E. Francis, formerly in charge of Photophone's recording division which,

(Continued on page 4)

Changes Slated for N. Y. Allied Heads

ALBANY, Sept. 12.—Changes in the executive setup of Allied of New York loom at the annual elections on Sept. 26. The meeting is set for the DeWitt Clinton Hotel. Some of the officers claim they cannot devote their time to the organization and want to be relieved of their posts.

Because of the annual conclave, the eastern session of Allied units is being held up.

Southern California ITO Roster Gaining

HOLLYWOOD, Sept. 12.—New members are being added daily to the I. T. O. of Southern California.

Financing of the organization is planned through a midnight show to be given at Pantages Sept. 22, with a program of film, stage and radio personalities and a studio preview.

Theatre Suit On ASCAP Tax Frowned Upon

Exhibitors Told Federal Action Covers Needs

WASHINGTON, Sept. 12.—Exhibitor representatives were advised here today that the Federal anti-trust action recently filed against the American Society of Composers, Authors and Publishers and other music licensing groups fully covers theatre owners' interests and that nothing would be gained through the filing of a separate action by exhibitors, or consolidating an action with that of the government.

The exhibitor representatives, led by George Z. Medalie, former U. S. District Attorney at New York, who was retained recently by the exhibitor emergency committee to conduct their

(Continued on page 4)

Cutting Most Vital In Films—Hubbard

Cutting is the most important job in production, Lucien Hubbard, M-G-M producer, stated yesterday on his return from an eight-week vacation in Europe. Casting, he opines, is the easiest part of the work.

While abroad Hubbard, his wife and two children visited England, France, Italy, Germany and Switzerland. He had a brief conference with Louis B. Mayer, Sam Eckman and Laudy Lawrence while in Europe, but business did not enter the interviews, Hubbard says.

He left for the coast last night and will stop off at Fort Thomas, Ky., to visit his mother. He plans to be back in Hollywood on Tuesday for an assignment.

Detroit Operators' Scales Are Raised

DETROIT, Sept. 12.—Roger Kennedy, business agent of the I. A. T. S. E., after months of negotiation with exhibitors, has settled the operator wage scale for the next two years.

Independent theatre operators will receive an increase of 14 per cent and

(Continued on page 4)

Denies 4 Members Out of Penn MPTO

Declaring that four theatres recently listed as lined up with the I. E. P. A. are full-fledged members of the M. P. T. O. of Eastern Pennsylvania, Southern New Jersey and Delaware,

(Continued on page 4)

Two Columnists On

Loew's goes into opposition with itself starting the week of Sept. 21 as far as the State and Capitol are concerned. Paul Yawitz, Broadway columnist of the *Sunday Mirror*, is booked into the State for that period and Ed Sullivan, columnist of the *Daily News*, is scheduled to open at the Capitol the same day.

Court Orders New Fox Met Plan Nov. 12

Creditor groups in Fox Metropolitan Playhouses were directed by Federal Judge Julian W. Mack at a hearing in U. S. District Court yesterday to have a plan of reorganization for the company ready for submission by Nov. 12.

It was indicated at the hearing that the bondholders' committee would begin work on a plan at once to comply with the court's instructions. If objections to the plan are made on its submission, opposing creditors may move at that time to have the reorganization proceedings set aside and

(Continued on page 2)

Fox Met in Red, But Cash Is $2,171,928

Despite cash on hand of $2,171,928 as of yesterday, Fox Metropolitan Playhouses is still "in the red," Walter Littlefield, Irving Trust representative in Fox Met, told Federal Judge Julian W. Mack yesterday.

Cash in the hands of the trustee for the company, as of yesterday, amounted to $1,925,744, of which $1,510,984 was described as "mortgaged cash" and $414,760 as "free cash."

Littlefield estimated that Fox Met

(Continued on page 2)

Loew Seeks Listing For 200,000 Shares

Loew's, Inc., yesterdav applied to the New York Stock Exchange for permission to list an additional 200,000 shares of the company's common stock.

This move was made to cover the options given Irving Thalberg, M-G-M producer, and Louis B. Mayer, vice-president in charge of production at M-G-M, a year ago last September. The options are redeemable after the first of the year.

RKO May Get Half of "U" And Columbia

This, as Well as Fox, In Loew Peace Plan

Half of Universal and Columbia product, in addition to all of Fox, will be switched to RKO by Loew's in Greater New York provided negotiations under way materialize within the next week.

Consummation of deliberations now going on for shifting of product by Loew's is contingent on RKO dropping 11 independent theatres recently acquired in the local area.

Ratification of the deals by S. R. Kent of Fox, James R. Grainger of Universal and Jack Cohn of Columbia is expected. While Kent is understood to have been approached on the Fox angle, Grainger and Cohn have not, as far as it could be learned yesterday.

In executive quarters the deals are looked upon as certain. In this event, RKO would have splits with Loew's

(Continued on page 4)

Denver Seeks Code Change on Prizes

DENVER, Sept. 12.—Theatre owners here want the code amended to eliminate all restrictions on premiums, gifts, awards, chances, etc. They contend this should be left to local autonomy.

This city has been a hotbed of give-aways, the practice reaching the point

(Continued on page 4)

Rosenblatt Denies He Will Leave NRA

WASHINGTON, Sept. 12.—Flatly denying any intention of leaving the National Recovery Administration, Division Administrator Sol A. Rosenblatt today branded as mere rumors reports from the coast that he would resign at the end of this month.

Campi Resumes Its Clearance Hearings

Appeal hearings on clearance and zoning schedules were resumed yesterday by Campi. Four protests were heard by a committee comprising George J. Schaefer, chairman; E. C. Grainger and Leon Rosenblatt.

Because an appeal on a decision of

(Continued on page 4)

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Johnston Given Medal

George Hecht, editor of *Parents' Magazine,* yesterday presented W. Ray Johnston, president of Monogram Pictures, the special *Parents' Magazine* medal for his company's production of "A Girl of the Limberlost."

Johnston has just returned from a tour of key cities.

Laemmle Back Tomorrow

Carl Laemmle, Universal head, returns from a three-month absence in Europe tomorrow aboard the *Leviathan.* His assistant, Joe Weil, and his secretary, Jack Ross, returned with him.

Mrs. Mayer to Recover

PARIS, Sept. 12.—Mrs. Louis B. Mayer, who has been ill at the American Hospital here, was reported to be out of danger today. She has had double pneumonia.

Sonolux Branch Here

Sonolux Co. of East Newark, N. J., manufacturer of exciter lamps and photo cells, has opened a New York office with A. G. Zepp in charge of sales.

M-G-M Re-signs Writers

HOLLYWOOD, Sept. 12.—Rachel Crothers and Vicki Baum have been given new writing contracts by M-G-M. They will continue to contribute original stories.

Court Orders New Fox Met Plan Nov. 12

(*Continued from page 1*)

the equity receivership status of Fox Met restored, the court indicated.

Fox Theatres Corp. owns all of the common stock of Fox Met and may intervene in the reorganization proceedings to approve or oppose a plan when one is submitted. Central Hanover Bank & Trust Co. is trustee under the Fox Met $13,000,000 gold note and debenture issues and the bank's petition to intervene was granted yesterday by Judge Mack. A similar petition to intervene made by counsel for Fox Theatres' stockholders was denied on the grounds that stockholders of Fox Theatres are not creditors of Fox Met.

Irving Trust Co. was made permanent trustee for Fox Met in an order signed by Judge Mack yesterday.

$4,536,000 Claim Revived

It was revealed at the hearing that Fox Theatres' claim of $4,536,000 against Fox Met, which it had previously agreed to settle for $100,000, has again been thrown into the open by the vacating of Judge Martin Manton's order authorizing Fox Theatres to effect the settlement. Judge Mack had made no similar authorization to Fox Met receivers to participate in the settlement, and the claim, therefore, may be pressed anew. Irving Trust, however, proposes to contest the claim on behalf of Fox Met.

Milton C. Weisman, trustee of Fox Theatres with William E. Atkinson, stated that David Burton, an accountant retained recently by Fox Theatres, would examine the books of Fox Met in an effort to determine the facts surrounding the Fox Theatres' claim. He also stated that Fox Theatres would bring in its own reorganization plan for Fox Met if there was unnecessary delay on the part of the bondholders' committee.

Judge Mack also issued a stay yesterday to prevent Central Hanover from bringing foreclosure actions against Fox Met properties in ancillary actions pending the submission of a plan.

In the meantime, Skouras and Randforce continue as operators of Fox Met, but how they will be affected by the reorganization plan to be prepared remains a matter for conjecture. The bondholders' committee has made several attempts to modify the operating contracts and stated to Judge Mack on Tuesday that new contracts would be drawn soon and submitted to Fox Met creditors for approval.

In reply to a question yesterday, Walter Littlefield, Irving Trust representative in Fox Met, stated that the Fox Film franchise is held by Skouras and Randforce, not Fox Met.

Fox Met in Red, But Cash Is $2,171,928

(*Continued from page 1*)

was "$2,000,000 in the red." He said that the circuit may have lost $250,000 on operations for the summer, adding that earnings are off at that season and improved during the winter.

Asked whether operations were showing a profit, Littlefield said that the trustee "had no way of knowing." He added that Skouras and Randforce had both paid rents, computed after operating costs, to the trustee and that he believed there was some cash in the Randforce treasury, although that operator had not declared the dividend due in October.

Hoffman May Jump Liberty to Twelve

M. H. Hoffman is now mulling over possibilities of increasing the current Liberty program of eight to 12. A decision will be reached within the next 48 hours, he states.

Tentative plans for next season call for 12 program pictures, four specials and two super specials. He returns to the coast in about 10 days.

"Don Juan" Print Here

The first print of "The Private Life of Don Juan" arrived in America yesterday on board the *Olympic.* London Films produced the picture, starring Douglas Fairbanks, Sr., and United Artists is handling the release in this country.

Closes Circuit Deals

United Artists has signed two more circuits for the company's 1934-35 product, according to Al Lichtman, vice-president in charge of sales, with the closing of the deals with Randforce circuit and the Fox Rocky Mountain Theatre Co.

Eastman Up One on Big Board

	High	Low	Close	Net Change	Sales
Consolidated Film Industries, pfd	12½	12½	12½	.....	100
Eastman Kodak	96½	96	96½	+1	300
Fox Film "A"	11	10⅝	11	+ ¼	500
Loew's, Inc.	27	26	26¾	+ ½	1,600
Loew's, Inc., pfd	91½	90½	91½	.....	300
Paramount Publix, cts	3¾	3⅝	3⅝	.....	400
Pathe Exchange	1⅛	1	1	.....	1,500
RKO	2⅛	2⅛	2⅛	+ ⅛	300
Warner Bros.	4⅛	4	4⅛	+ ⅛	1,600

No Change in Curb Stocks

	High	Low	Close	Net Change	Sales
Sentry Safety Control	⅛	⅛	⅛	.....	100
Trans Lux	1⅝	1⅝	1⅝	.....	300

Para. Publix Bonds Off One

	High	Low	Close	Net Change	Sales
General Theatre Equipment 6s '40	5⅞	5⅞	5⅞	.....	4
General Theatre Equipment 6s '40, ctf	6	5½	5½	— ¼	7
Loew's 6s '41, ww deb rights	101¾	101	101	— ⅞	22
Paramount Broadway 5½s '51	35½	35¼	35¼	— ¼	10
Paramount F. L. 6s '47	46½	46⅜	46⅜	.....	4
Paramount Publix 5½s '50	46½	46¼	46½	—1	3
Pathe 7s '37, ww	99	98⅞	99	+ ½	2
Warner Bros. 6s '39, wd	51½	51⅛	51½	+ ⅜	5

Purely Personal

WALLACE WEST, who has been with the Paramount publicity department for the past five years, has resigned to become managing editor of *Roto,* a new weekly publication.

HARRY ASHER, Boston; BERNARD MILLS, Albany, and S. GOLDMAN, Boston, all of Majestic, were in town yesterday.

FRANK JOYCE, MRS. JACK WILLIAM VOTION and ANTOINETTE GIROUX, Canadian actress, get in today from Europe on the *Lafayette.*

MRS. MILLARD WEBB, the former MARY EATON, arrived yesterday from the coast and is stopping at the Warwick.

JULES E. BRULATOUR and MRS. BRULATOUR (HOPE HAMPTON) arrive today from abroad on the *Rex.*

ETHEL MERMAN is back in town from the coast, where she worked in "Kid Millions."

HARRY P. LANDER, secretary of the New Haven code board, was in town yesterday.

JAMES DUNN is in town from the coast. He's at the Ritz Tower.

LARRY DARMOUR arrives either tomorrow or Saturday from the coast.

HARRY COHN is due from Hollywood on Sunday.

St. Louis Orpheum Will Open Saturday

ST. LOUIS, Sept. 12.—Warners will open the Orpheum Saturday with "British Agent." The house has been dark for three years.

The interior has been redecorated, new seats have been installed and other improvements made. The reopening will give Warners two first runs. The other is the Shubert-Rialto.

During opening week the house will be on a single feature basis, but duals probably will follow.

Downtown Sunday scales are up. The Ambassador and Fox are now charging 25 cents until 2 P. M., 35 cents to 6 P. M. and 55 cents at night. Loew's State is charging the same rates.

J. L. Warner Here Today

Jack L. Warner, vice-president in charge of production for Warners, arrives today by plane from the coast. He is scheduled for a series of home office conferences.

Warners to Start Duals

LOS ANGELES, Sept. 12.—Warners' Downtown goes double bill Friday. The Hollywood will remain on a single feature basis.

Publicists Meet Hays

HOLLYWOOD, Sept. 12.—Publicity directors met today at the Hays office to learn what the M. P. P. D. A. head told fan magazine editors yesterday. The publicity men reported correspondents here in general will cooperate still further following their editors' talk with Hays.

Germany Bans "Baby"

BERLIN, Sept. 12.—"Baby, Take a Bow" has been banned in Germany, no reason given.

PARENTS' MAGAZINE AWARDS HIGHEST HONORS TO MONOGRAM

THE PARENTS' MAGAZINE MEDAL
AWARDED FOR "THE GIRL OF THE LIMBERLOST"

"A GIRL OF THE LIMBERLOST"

WINS MEDAL FOR THE BEST PICTURE OF THE MONTH

●

based on **GENE STRATTON-PORTER'S** great novel

WITH
LOUISE DRESSER
MARIAN MARSH
RALPH MORGAN

MONOGRAM PICTURES

DIRECTED BY **CHRISTY CABANNE**
A WM. T. LACKEY Production
SCREEN PLAY BY ADELE COMANDINI

W. RAY JOHNSTON President

TREM CARR vice-president in charge of production

Theatre Suit On ASCAP Tax Frowned Upon

(Continued from page 1)

court opposition to the music tax increase planned by A.S.C.A.P. for Oct. 1, conferred with officials of the Department of Justice here. While efforts to obtain a statement on the results of the conference from officials of the department were futile in the face of the official policy of divulging nothing regarding current activities. the exhibitor representatives indicated that department officials were highly interested in A.S.C.A.P.'s proposed music tax increases because of the pending Federal litigation.

Moreover, there were indications that the government's suit is expected to result in a consent decree under which A.S.C.A.P. will make drastic revisions in its contracts and methods of operation.

Denial that A.S.C.A.P. would agree to a consent decree or contemplated any revisions of its contracts or operating methods was made yesterday by E. C. Mills, general manager, in response to the Washington report.

Will Fight to Last Ditch

"We will fight the government action, or any other action against us, through the highest court, if that is necessary," Mills said. "If the Supreme Court then dissolves us, why, we stand dissolved. I don't know who is spreading the report that A.S.C. A.P. would accept a consent decree, but it is not true."

Mills reiterated earlier statements that the quickest solution of the situation for exhibitors would result from getting together with A.S.C.A.P. heads "to discuss the subject in the proper frame of mind."

The exhibitor situation appears to be unchanged as a result of the Washington conferences yesterday. The emergency committee has been of the opinion all along that the exhibitors' case was fully covered by the Federal action against A.S.C.A.P., but also felt that its own action would be necessary in order to obtain immediate relief from the proposed music tax increases. Such relief is not promised in the Federal suit. It is believed that the committee will proceed with its original plan of instructing Medalie to file applications at once for injunctions restraining A.S.C.A.P. from putting the tax increases into effect and from collecting any music taxes whatever in the future.

Denies 4 Members Out of Penn MPTO

(Continued from page 1)

that these houses have never joined the rival organization and have not paid dues, George P. Aarons, secretary of the M. P. T. O. unit, yesterday declared that the members involved will continue with his association.

Theatres and operators involved are Jack Greenberg of the Parkway, Stone Harbor, N. J.; James Clarke and Jack Greenberg of the Roxy, Northampton, Pa.; George T. Gravenstine of the Carmen, Philadelphia, and Edward Gabriel of the Casino, South Langhorne, Pa.

Wages Absorb 18% of Gross For Theatres

Wages absorb an average of 18 per cent of gross receipts, *Motion Picture Herald* will reveal today in announcing the results of a study made by it of reports on the first 17 states to be surveyed by the U. S. Census Bureau in its canvass of the nation's film theatres financed by funds provided by the Public Works Administration.

The reports are based on information obtained from 1,586 theatres in the following states: Alabama, Arizona, Arkansas, Delaware, Iowa, Kentucky, Louisiana, Maine, Mississippi, Nevada, New Hampshire, New Mexico, North Dakota, Oregon, Rhode Island, South Dakota and Vermont.

Total Gross $33,233,000

Total box-office receipts last year for theatres in these states were $33,233,000. Of this sum approximately $6,171,000 went for payrolls. The percentage of gross receipts applied to wages ranged from 15 per cent in New Mexico to 22 per cent in Rhode Island. In the large cities the average was 21 per cent, ranging from 15 per cent in Mobile, Ala., to 27 per cent in Portland, Me.

"The average theatre," according to the publication, "spent $3,899 per year and $77 per week on payrolls in 1933. In the large cities the average was $12,307 for the year and $237 per week."

The *Herald* figures also disclose that "average gross receipts per theatre for 1933 were $20,900 and $59,332 per theatre in the large cities," while average weekly receipts per theatre amounted to $1,141, the average for the big-city houses being $20,950.

The *Herald* declares that the Census Bureau survey represents "the first wholesale accumulation of actual box-office earnings in their relation to salaries and wages paid in exhibition undertaken on a scientific basis by the government's economic investigators."

Detroit Operators' Scales Are Raised

(Continued from page 1)

circuit men will receive a seven and one-half per cent raise. The reason for the difference is that the circuits granted a 14 per cent raise last September when the indies did not raise.

The operators wanted a flat 20 per cent boost with overtime starting at 11 P. M. The new arrangement calls for pay for overtime after 11:30 P. M.

With the double feature situation here as it is, it is almost impossible for a neighborhood house to run two complete shows, double features and short subjects without going into overtime every night. Most houses are now running one feature twice nightly with the slough off run only once and as near 9 P. M. as possible.

With this policy in force, most houses close the box-offices shortly after 9 P. M. to avoid kicks.

Books "Scarlet Letter"

Majestic has booked "The Scarlet Letter" into the Strand, Brooklyn, starting tomorrow.

Denver Seeks Code Change on Prizes

(Continued from page 1)

some time ago where automobiles were among the prizes regularly.

Resolutions passed by the Rocky Mountain Theatre Owners' Ass'n. have been forwarded to Division Administrator Sol A. Rosenblatt and Campi. In them the association asks that where 75 per cent of exhibitors in a territory favor prizes, chances and awards the practice be permitted.

First New Season's Overbuying Case Up

First overbuying complaint on 1934-35 product is before the New York grievance board. Slated to come up yesterday, the case was postponed until the next meeting, date of which has not been set.

The complaint, filed by Frank Somarelli of the Royal, Port Jervis, N. Y., charges Harry Shiffman with buying too much product for the Strand and Ritz in that city. Somarelli claims that unless he can get sufficient first run films he will have to close. He says he has been forced to keep the Royal closed several months. He reopened last January.

Shiffman, however, contends that according to present deals he has insufficient output to keep both his units operating as first runs.

Clearance and zoning resumes in the local territory next Monday when the Hastings, Hastings-on-the-Hudson, appears before the New York board on a complaint for a reduction of clearance now enjoyed by the Strand, Yonkers, an RKO house.

Campi Resumes Its Clearance Hearings

(Continued from page 1)

the Philadelphia board, involving the Fern Rock against the Logan, Lindley and Benn, took three hours, Schaefer adjourned the session until 8.:15 P. M. Schaefer had an appointment with E. J. Sparks, prior to the latter's departure for Florida last night and had to break away.

I. Levinson represented Warners, respondents and appellants, while George P. Aarons represented Herbert J. Elliott of the Fern Rock.

Cases heard in the evening were the Orpheum, Saugerties, N. Y., against Broadway and Kingston, Kingston, N. Y.; Ambassador, Philadelphia, against the Benn; Astor, Atlantic City, against Colonial, same city.

3 New Kodak Officers

Rochester, Sept. 12.—Albert F. Sulzer has been elected vice-president of Eastman Kodak in charge of Kodak Park, the company's largest plant, of which he has been manager. Dr. C. E. Kenneth Mees has been advanced from director of research and development to vice-president in charge of that division, while Herman C. Sievers, formerly general sales manager, is now vice-president in charge of sales and advertising as successor to the late Lewis B. Jones.

Joe Vergesslich Resigns

Joe Vergesslich has resigned as branch manager of Majestic's New York exchange.

RKO May Get Half of "U" And Columbia

(Continued from page 1)

on Paramount, Warners, Columbia and Universal in addition to the entire lineups of Fox and Radio in theatres not competitive with Loew's.

Loew's is insisting that every house acquired in the recent theatre drive must be dropped before it stamps the deals as final. The circuit does not want any of the houses, leaving disposition of them to RKO. Skouras and Randforce will acquire a number of them and the others in all probability will be turned back to the original owners.

Proximity of new season release makes it imperative that the negotiations be completed within the next week or so. If the talks fail to materialize by that time, all deals may fall through, it is understood.

Heyl, Photophone, Quits as Manager

(Continued from page 1)

concurrently with his advancement, will be combined with the reproducing division. Francis, therefore, will be in charge of both recording and reproducing divisions.

Heyl has been with Photophone since 1927, at which time he was vice-president in charge of foreign development. His future plans were not disclosed. Francis joined Photophone in 1929, in charge of installations, and subsequently was placed in charge of the recording division.

Sisk Is Made Aide To J. R. McDonough

(Continued from page 1)

Dowd has been with the company for the past 14 years.

Sisk's headquarters will be in Hollywood. He leaves with his family shortly. Prior to his RKO association, Sisk was general press representative for the New York Theatre Guild for seven years.

G-B Sets Deal for Fox to Handle List

Contracts calling for physical distribution of Gaumont British films through Fox exchanges have been signed. Branch managers and salesmen will be stationed in the Fox exchanges and will report to the G-B home office in New York.

"Chu Chin Chow" will open at the Roxy Sept. 21 and "Power" will go into the Music Hall Oct. 4. These deals were handled before signing of the Fox agreement.

Negotiations are under way to bring over a number of G-B stars for personal appearances at the Roxy.

Caballero in Town

Charles Caballero, who has been managing F. & M. theatres in San Francisco and Los Angeles, is in town awaiting a new assignment.

The Leading Daily Newspaper of the Motion Picture Industry

MOTION PICTURE DAILY

Alert, Intelligent and Faithful Service to the Industry in All Branches

VOL. 36. NO. 63 — NEW YORK, FRIDAY, SEPTEMBER 14, 1934 — TEN CENTS

New Regional Labor Setups Due Sept. 22

20 Boards for Country; Director for Each

Kansas City, Sept. 13.—Reorganization of the 20 regional labor boards throughout the country will become effective Sept. 22 at which time members of the regional boards go out of office and new machinery will be established under the national labor relations board, Motion Picture Daily is informed by Richard L. Blume, executive secretary of the labor board here.

The national labor relations board is the successor to the Wagner labor board, which was named by the President immediately after the inception of the National Industrial Recovery Act. The regional boards consisting

(*Continued on page 6*)

Loew Application On Stock Routine

Application by Loew's for listing of an additional 250,000 common shares on the New York Stock exchange is a mere formality, according to Loew executives.

The new stock will be divided among Irving Thalberg, Louis B. Mayer, David Bernstein and J. Robert

(*Continued on page 6*)

M-G-M to Delay Its English Production

M-G-M production in England will not get under way for some time, conditions abroad not being ripe at the present time, it is held in executive quarters.

Louis B. Mayer, now in Europe, is enthusiastic about making films in

(*Continued on page 6*)

Out on Sunday

Kansas City, Sept. 13.—As a concession to something or other, the *Kansas City Journal-Post*, running a serialized feature by Mae West titled "Me and My Past," omitted the story on Sunday and carried the installment on Monday instead.

An editor's note said the arrangement was requested by La West.

Loew-RKO Deal Hangs On Meyer & Schneider Stand

Meyer & Schneider, independent circuit operators, hold the key to a shift of Fox, Universal and Columbia product by Loew's to RKO.

Efforts are being made by RKO to settle one-year leases on the Apollo and Hollywood, taken over about a month ago by the major circuit. M. & S. is understood to be asking in the neighborhood of $160,000 for cancellation of the leases, but RKO is said to have offered $100,000 less. Conferences between the two circuits are being held daily.

In taking over the Apollo and Hollywood, RKO struck a vulnerable theatre situation dominated by Loew's, which has the Delancey, Avenue B, Canal and Commodore. The Apollo

(*Continued on page 6*)

New Orleans Men to Fight Tax in Court

New Orleans, Sept. 13.—A court fight is planned here on the amusement tax enacted at the special session of the legislature and levied here by direction of Mayor Walmsley. The tax ranges from two per cent on theatres up to 10 per cent on night clubs, circuses and other forms of amusement.

Under the terms of the law, it is claimed, the proceeds were to be turned into the state treasury for relief purposes in conjunction with Federal funds.

Mayor Walmsley began the collection here and turned the proceeds into the city treasury for use by local relief agencies.

A few days ago a few exhibitors called on the Mayor and suggested

(*Continued on page 6*)

St. Louis Sale Tax Defeat Is Expected

St. Louis, Sept. 13.—Defeat of the proposed city sales tax in the Board of Aldermen seems certain. In order to make up the city's deficit of $4,253,000 for bond issue sinking fund and other shortages it is expected the board will return to a plan for a city income tax and special taxes of various kinds.

Whether this will include admission levies is worrying exhibitors.

"One Night" Grabs $104,120 for Week

Chalking up the biggest gross in 42 weeks, "One Night of Love" garnered $104,120 for the first seven days at the Music Hall. The last picture to

(*Continued on page 6*)

Jersey Allied Sets Oct. 3 As Dual Deadline

Allied of New Jersey has set Oct. 3 as the deadline for Northern New Jersey independents to sign for adoption of single feature policies. The deadline was approved by about 45 members at a meeting of the organization yesterday.

The single feature committee yesterday reported that 210 circuit and independent houses have signed the agreement to drop duals and there are now 20 independents holding out, among them Trio-Consolidated.

No definite date for adoption of the single feature plan has been set, but it is figured that from 14 days to three weeks will be necessary for exhibitors to rearrange bookings, provided all theatre owners sign up.

The next meeting of Allied will be held Sept. 25.

GSTA to Aid Fight On ASCAP Tax Move

New Orleans, Sept. 13.—The Gulf States Theatre Owners Ass'n will swing into action against the American Society of Composers, Authors and Publishers this winter when Congress meets. President Henry McLeod, stating that no action would be taken now, declared his association would fight any move to saddle the exhibitor with increased and unjust costs.

Stage Appearances Due for Rush Here

Broadway will break out in a rash of personal appearances by film players starting Sept. 21.

With Ed Sullivan, *Daily News*

(*Continued on page 6*)

Revamping of Para. Nears; Bank Deal On

Court to Get Pact On Bond Suit Sept. 25

The possibility of an early reorganization of Paramount Publix is brought to the fore again with the disclosure yesterday that a settlement of the suit brought against 12 Paramount bank creditors has been virtually agreed upon.

Disclosure of the imminent agreement came with the appearance of representatives of the principal Paramount reorganization groups at a hearing before Federal Judge Alfred C. Coxe in chambers. At the request of Samuel S. Isseks, of counsel for the Paramount trustees, Judge Coxe postponed the hearing to Sept. 25 to permit the winding up of negotiations for a settlement. Isseks requested an adjournment of only six days, but Judge Coxe said he would be unable to hear the case next week and set the later date.

Morton G. Bogue, of counsel for

(*Continued on page 2*)

Big Electric Suits On September List

Wilmington, Sept. 13.—Suits involving General Talking Pictures Corp., Warners, Erpi, Western Electric, A. T. & T., R.C.A., Duovac Radio and others are listed on the

(*Continued on page 8*)

Campi Adopts 12 New Clearance Principles

After spending the greater part of the afternoon amending and redrafting a set of rules promulgated by a special committee of sales executives, Campi yesterday adopted a plan of 12 principles to govern new clearance and zoning schedules. Loew and Warner representatives are said to have argued considerably on the committee's report before it was changed and accepted.

The financial committee did not sub-

(*Continued on page 6*)

End 15-Year Run

After playing vaudeville for 15 consecutive years, Loew's Gates in Brooklyn goes to straight picture programs within the next two weeks.

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Bellman Enlarges Staff

Jack Bellman of the Hollywood Film Exchange has increased his staffs in Buffalo, Washington and Philadelphia. Frank Loftus, "Chief" Powell and Ray Smith have been assigned to John Golder, Philadelphia, and Bert Freese has been added to George H. Moeser's Buffalo outfit.

New Union Is Opposed

Harrisburgh, Sept. 13.—An application for a charter for the Brotherhood of M. P. Operators now pending before Secretary of State Richard J. Besmish is being opposed by the State Federation of Labor and various Pittsburgh unions.

Liebeskind in Today

Nat Liebeskind, Warner representative in the Far East, returns today on the *Paris* for home office conferences. He has been in Singapore and Straits Settlements for the past three years organizing branch offices.

Balcon on Way Here

London, Sept. 13.—Michael Balcon, production chief for Gaumont British, is on the *Berengaria*. He will study American audience reactions where Gaumont features are shown.

Darmour, Hopper Coming

Hollywood, Sept. 13.—Larry Darmour and Harold Hopper of Majestic are on their way east by plane for home office conferences.

◂ Purely Personal ▸

John C. Hackett's book based on the murder of Dot King has been purchased by Grace Pictures. The picture will be made at Irvington-on-the-Hudson.

Sam Moscow, Columbia district manager in Atlanta, and Jerome Safron, west coast district manager, have returned to their offices.

Joseph N. Weber, president of the American Federation of Musicians, and Mrs. Weber return tomorrow on the *Paris* from a trip through Europe.

Spyros Skouras and E. A. Alperson yesterday held a product conference with Al Lichtman. It's that Fox West Coast deal.

Aline MacMahon will arrive in town early next week for a vacation. She has just finished work in Warners' "Babbitt."

James M. Beck, M.P.P.D.A. representative in London, is due here the end of this month on his annual American visit.

M. H. Hoffman has moved from the Essex to the Park Central, his usual stopping place when he is in New York.

Glenn Anders has completed his work in Radio's "By Your Leave" and is flying east to go into a Guild show.

Gregory Ratoff returns from abroad about Oct. 1, having been in England since April working in pictures.

Damon Runyon has sold another of his short stories, this time to M-G-M. It is called "Three Wise Guys."

William Wister Haines' "Slim" has been acquired by Warners. James Cagney may be starred.

Byron Morgan and J. Robert Bren have sold their football story, "Backfield," to M-G-M.

Pete Smith, M-G-M humorist, arrives in town Monday from the coast by boat for a short vacation.

Lucien Hubbard left yesterday for the coast. He's going by way of his home in Kentucky.

N. L. Nathanson is scheduled to arrive in Montreal today from a European vacation.

James Dunn and John Bradford, who have just completed work in "365 Nights in Hollywood" for Fox, arrived yesterday morning. They intend to take in the Ross-McLarnin fight.

James Roosevelt and Mark Ostrer were luncheon guests of Howard S. Cullman yesterday.

Arthur Loew's dog "Tide" has given birth to six pups. "Rip," mate of "Tide," recently died.

Joe Penell, formerly of the Verdie and Penell vaudeville act, is the bartender at the M. P. Club.

R. M. Hatfield, Erpi representative in London, is due here the early part of October.

Stuart Erwin and Mrs. Erwin (June Collyer) are stopping at the Warwick.

Edward Dean Sullivan's original, "Bad Penny," has been bought by Select.

Richard Macauley's "Women Are Bum Newspapermen" has been bought by Warners.

Dave Chatkin arrived in town yesterday for a brief business visit.

Skouras Reports 27% FWC Increase in L.A.

Los Angeles, Sept. 13.—Charles Skouras in an interview today declared that attendance at all Fox West Coast houses in this sector in the past six weeks had increased 27 per cent. He said that managers, asked to discover the reason for such a sharp increase, have reported that patrons have found many new faces to attract them and have commended in almost every instance the higher-grade and more wholesome entertainment now being offered.

Hendricks Wins Award

William Hendricks, manager of the Warner at Memphis, has won the first prize in the company's national exploitation contest on "The Circus Clown." Thirteen other awards were given out as follows: Louis Sharninsky, Capitol, Dallas; Ed Bart, Oxford, Plainfield; William Leggiero, Ritz, San Bernadino; Gene Curtiz and Ken Finley, Palace, Montreal; Ken Grimes, Warner, Morgantown, West Va.; Roy Patterson, Gordon, Middletown, O.; J. E. Elicker, Commerford's Penn, Wilkes-Barre; Barney Gurnette, New Santa Cruz, Santa Cruz, Cal.; George O'Brien, Miller, Woodstock, Ill.; Hadden Matthews, 69th St., Upper Darby, Pa.; Abe Frank, Lyric, Camden; Jim Totman, Warner, Erie, Pa., and R. D. Hutchings, Portage, Portage, Wis.

Trading Light on Big Board

	High	Low	Close	Net Change	Sales
Columbia Pictures, vtc	32	31¾	32	+ ¼	500
Consolidated Film Industries	2¾	2⅝	2⅝	— ⅜	400
Eastman Kodak	96½	96⅛	96⅛	— ⅜	200
Fox Film "A"	10¾	10⅝	10¾	— ¼	300
Loew's, Inc.	26⅞	25⅝	26⅞	— ⅛	2,200
Paramount Publix	3⅝	3⅝	3⅝	.....	700
Pathe Exchange	1⅛	1	1⅛	+ ⅛	400
RKO	2⅛	2⅛	2⅛	.....	100
Warner Bros.	4¼	4⅛	4⅛	.....	300

Trans Lux Up ⅛ on Curb

	High	Low	Close	Net Change	Sales
Technicolor	12	12	12	.....	200
Trans Lux	1¾	1½	1¾	+ ⅛	600

Keith Bonds Drop 1½

	High	Low	Close	Net Change	Sales
General Theatre Equipment 6s '40	5¾	5¾	5¾	— ⅛	1
Keith B. F. 6s '46	56	56	56	—1½	2
Loew's 6s '41, ww deb rights	101	101	101	.....	1
Paramount F. L. 6s '47	47¾	47⅛	47¾	+1⅜	12
Pathe 7s '37, ww	99	99	99	.....	1
Warner Bros. 6s '39, wd	52	52	52	+ ½	2

Revamping of Para. Nears; Bank Deal On

(*Continued from page* 1)

the defendant banks, told the court that a settlement proposed by the banks had been agreed to by Arthur A. Ballantine, of Root, Clark, Buckner & Ballantine, counsel for the Paramount trustees. Presumably, formal acceptance of the settlement by the Paramount trustees is the only step remaining to be taken. Isseks stated that if the settlement had not been made by the adjourned hearing date he expected examination of officers of the defendant banks to proceed promptly.

It is understood the proposed settlement involves an agreement on the part of the banks to surrender an alleged preference on $9,600,000 of a total claim against Paramount of $13,200,000. The banks will receive part cash and part short term notes for the $3,600,000 balance, it is said. The settlement, if and when ratified by the Paramount trustees, will have to be submitted to the U. S. District court here and approved before becoming effective.

Say Banks Given Preference

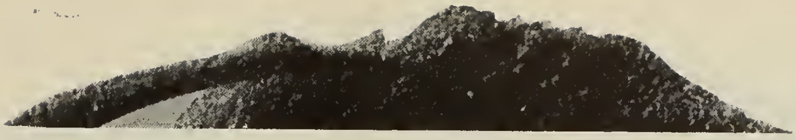
In their suit, the trustees allege that the banks were given a preference over other Paramount creditors through a transaction by which title to 23 Paramount negatives was transferred to Film Productions Corp. and pledged to the banks as security for the $13,200,000 obligation. They contend that $9,600,000 of this amount represented loans to Paramount made more than one year prior to the company's bankruptcy, yet placed in a preferential position as a result of the Film Prod. transaction, which was consummated within less than a year of the bankruptcy. In agreeing to surrender the alleged preference on this amount, the banks, it is believed, will consent to accepting some form of new paper from Paramount.

Litigation in the bank action was pressed by the trustees in the face of opposition from Paramount reorganization factors who, several weeks ago, believed the company could be reorganized by Oct. 1 if the litigation could be avoided. The indicated settlement, if it materializes, again makes possible a reorganized Paramount within a matter of weeks. Only one other major obstacle to reorganization then remaining would be that of Paramount-Broadway Corp., the subsidiary owning title to the Paramount building and theatre in Times Square. A plan for this subsidiary is now before the courts.

Important Paramount reorganization factors represented at yesterday's hearing included, in addition to the bank group counsel, the bondholders' protective committee, represented by Edgar G. Crossman of Davis, Polk, Wardwell, Gardiner & Reed, and the stockholders' committee, represented by Louis M. Loeb.

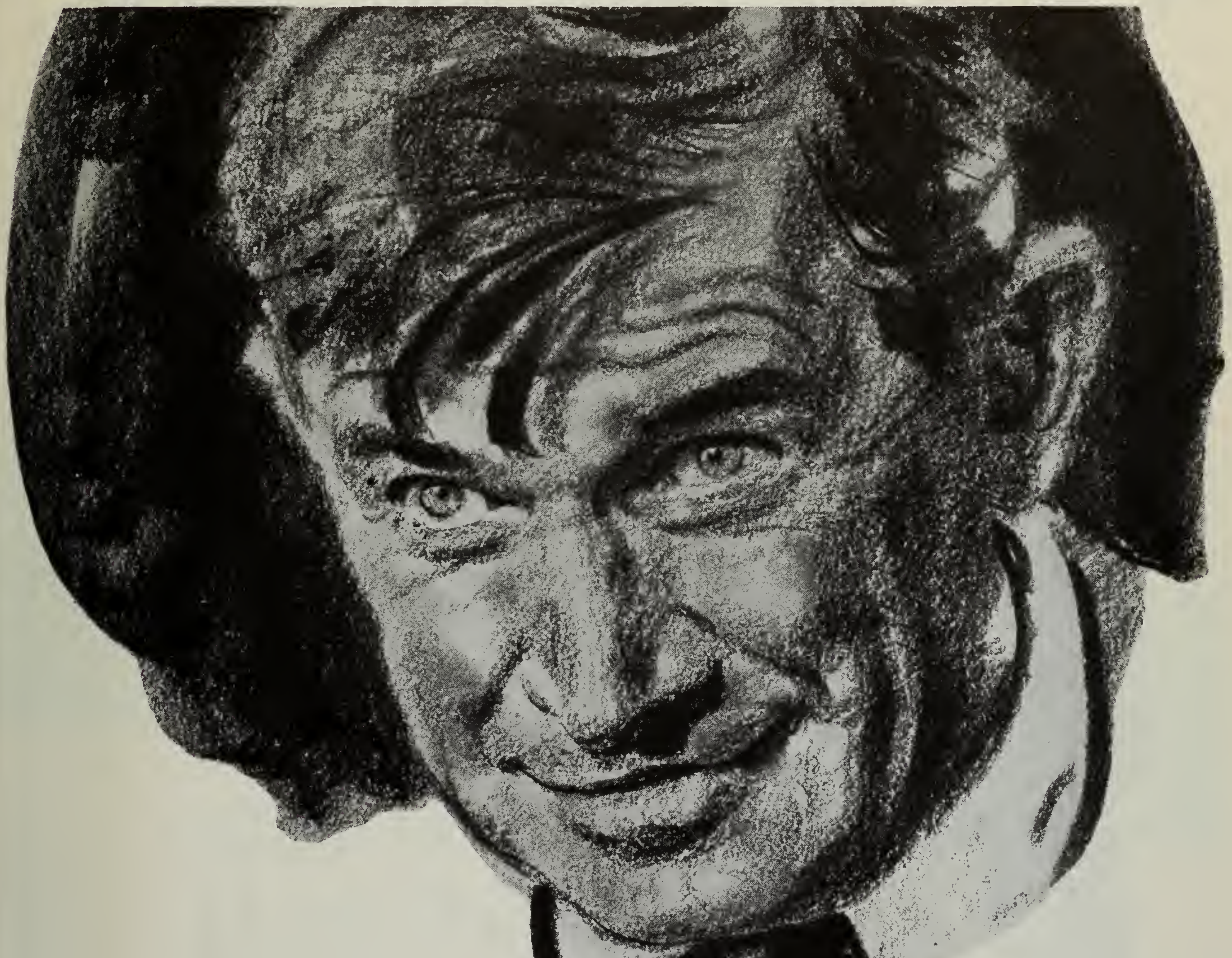
Loew's Take Boston Road

Loew's will take over operation of the Boston Road, Bronx, from Henry Seigel on Oct. 1. This house replaces the Freeman, recently dropped by the circuit.



"'HANDY ANDY' WAS PRETTY GOOD BUT WAIT TILL YOU SEE 'JUDGE PRIEST'"

—says Washington Evening Star*



* They
took the
words right
out of our
mouths!

FOX

A revel of gorgeousness TO MAKE THE
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FOX lavished a fortune to make "Caravan" . . . *to make a fortune for you.* Mammoth settings of astounding beauty...peopled with a colorful multitude of 3,000 . . . led by a throng of outstanding names. Swirling masses of happy crowds...wooing to melody . . . rejoicing to rhythm. *Not in all your life have you seen such splendor spread across the screen!...or heard such melody thrilling an audience!*

CARAVAN

CHARLES BOYER
LORETTA YOUNG
JEAN PARKER
PHILLIPS HOLMES
LOUISE FAZENDA
EUGENE PALLETTE
C. AUBREY SMITH
CHARLEY GRAPEWIN
NOAH BEERY

Executive Producer, Robert T. Kane. Directed by Erik Charell. Screen Play and Dialogue, Samson Raphaelson. Continuity by Robert Liebmann. From a story by Melchior Lengyel. Music by Werner Richard Heymann. Lyrics by Gus Kahn.

FOX

New Regional Labor Setups Due Sept. 22

(*Continued from page 1*)

of a neutral chairman with six representatives of labor and an equal number for industry, all voluntary members, may be superseded by an equal division on the board of industry, labor and the public.

The new organization's plans include a full-time director. In each large city in the redefined territories two men will be named to the new labor relations board. Those two representatives may be impartial citizens not connected with industry or labor, or may be chosen from those divisions.

In the event of labor disputes, the director becomes the chairman of the board and meets with the two board members in the city where the dispute develops. The director and the two members constitute the board, with full authority to act.

Blume has been advised from Washington that headquarters for this territory will be established in St. Louis, where a full-time director will be in charge of the area comprising Missouri, Kansas, Eastern Illinois and Southern Iowa. It has not been determined whether there will be a deputy or assistant director in Kansas City and other large cities in the redefined district, but it is considered doubtful.

Pending final reorganization of the local arbitration group, Frank Bowen, Federal labor examiner, has been assigned to Kansas City to take charge and will remain here until Lloyd K. Garrison, chairman of the national labor board, names the new regional director. Inasmuch as the district office will be established in St. Louis, it is expected the regional director will be chosen from that city.

Campi Adopts 12 New Clearance Principles

(*Continued from page 1*)

mit a report on a new assessment plan for distributor allocation, but it is expected a draft will be ready by the next meeting, Sept. 27. Nathan Yamins presided.

Decisions on about 15 appeal cases were handed down and several changes were made in code board setups in a number of cities, one of them being Seattle.

Division Administrator Sol A. Rosenblatt returned to Washington after the session and will probably be absent at the general meeting of code authorities at Carnegie Hall today.

Administrator Hugh S. Johnson will discuss the future of the NRA at the meeting.

Some Campi members, as late as yesterday, had not been officially advised of the meeting.

Two to Open in N. O.

NEW ORLEANS, Sept. 13.—Two reopenings are scheduled here. The Wonderland will resume Sept. 15, according to Henry Lazarus, owner, and the Crescent, formerly a Saenger house, is scheduled to start Sept. 20 with a combination of tab shows and films. Eddie Chittenden, former comedian, will be in charge.

Loew-RKO Deal Hangs On Meyer & Schneider Stand

(*Continued from page 1*)

is opposition to the Delancey and Canal, while the Hollywood competes with the other two Loew houses.

Skouras and Randforce will in all probability take over a number of the nine remaining houses RKO must drop before Loew approves transfer of all Fox product and half of Universal and Columbia films. Skouras is expected to take over the Embassy, Port Chester, the four Lee Ochs houses, and the Alden, Jamaica. Randforce will get the Utica, Brooklyn.

Loew Application On Stock Routine

(*Continued from page 1*)

Rubin. Thalberg will get 100,000 shares while the other three Loew officials will get 50,000 shares each. Contracts voting these shares to the four officials were approved at a stockholders' meeting two years ago with options effective Jan. 1, 1935. Stockholders at the time agreed to have the stock listed.

According to provisions of the contracts, the executives have a period of six years to take up the stock at various prices agreed upon in Oct. 1932. Portions of the entire allotment are to be taken up every other year.

Outstanding at the present time are 1,464,205 common shares. The fiscal year for Loew's ended Sept. 1, and an annual report of the financial position, seen as very favorable, will be ready in the next eight weeks. The next stockholders' meeting of Loew's will be held sometime in November.

M-G-M to Delay Its English Production

(*Continued from page 1*)

London and has already contacted several M-G-M producers on the plan.

Before Mayer left for London recently he approached David Selznick and others. Lucien Hubbard, who has just returned from an eight-week vacation, was also contacted by Mayer on the idea while in England.

All M-G-M producers are willing to go to London to make films, it is said. The plan has the full endorsement of Arthur Loew, head of all foreign activities.

"One Night" Grabs $104,120 for Week

(*Continued from page 1*)

hit above this figure was "Little Women," which took in $107,761. This was for the week ending Nov. 22, 1933.

Columbia expects the Music Hall to hold the Grace Moore film for three weeks.

The Columbia film is being held a third week at the Orpheum, San Francisco, and the Garrick, Winnipeg.

Col. Meeting Delayed

Due to delay of President Harry Cohn in leaving the coast, Columbia's board of directors has postponed its regular meeting from Sept. 22 to Sept. 29.

Cohn is remaining on the coast until "Broadway Bill" is completed.

Pettijohn in Chicago

CHICAGO, Sept. 13.—Charles C. Pettijohn of the Hays office passed through here today en route to the coast. He will make a stopover at Seattle before arriving at Los Angeles. Pettijohn plans to return to New York in three weeks.

Stage Appearances Due for Rush Here

(*Continued from page 1*)

columnist, and George Jessel already signed, Loew's is dickering for Jackie Cooper to appear on the same bill with "Death on the Diamond," beginning next Friday. Cooper is holding out for more money than Loew's has offered, but the deal is expected to go through in a day or so.

The Roxy plans to have Anna May Wong in person with "Chu Chin Chow," starting next Friday. Miss Wong, who appears in the Gaumont British film, is now on the coast and is expected in town early next week.

Nova Pilbean, star of "Little Friend," is being offered an appearance date at the Roxy in conjunction with the picture by G-B. The actress is expected to accept the offer. Jack Hulbert and several other English stars may follow Miss Pilbean.

James Dunn made the last personal appearance on the Roxy stage with "Bad Girl."

Ampa Seeking Jobs . For All of Members

That plans are being laid by the Ampa to obtain employment for every one of its idle members was revealed yesterday at the organization's first meeting of the new season at the M. P. Club. The announcement was made by Treasurer Marvin Kirsch, who withheld details. William R. Ferguson presided and Leon Janney acted as master of ceremonies.

Among the guests were Tom Noonan, known on the air as "the bishop of Chinatown"; Maude Odell of the cast of "Tobacco Road"; Lila Lee and Joe Howard, songwriter.

Marcus Gets Four Series

Gene Marcus, head of Majestic Pictures, Salt Lake City, has just closed deals with Stage & Screen Prod., Inc., for a series of six Northwest Mounted films and six police dog melodramas, and another deal with Superior Talking Pictures for six of the Rough Rider series and six of the Range Rider group.

Edward Klein Returns

Edward Klein, who is handling independent product in England, arrived with his wife yesterday on the *Lafayette* and will remain in New York for several weeks before returning to London.

New Orleans Men to Fight Tax in Court

(*Continued from page 1*)

that instead of a percentage tax he (Walmsley) would receive $40,000 a year for two years to be placed in the city treasury in lieu of the percentage tax. Walmsley jumped at the proposition. A few of the exhibitors balked on the matter, as they could not see how the amount could be apportioned equitably. The matter is now in abeyance.

As the matter now stands, only a few exhibitors have paid the tax. It is said night clubs and restaurants will not pay, as they consider the tax unconstitutional.

Mexican Group Will Make History Films

MEXICO CITY, Sept. 13.—Mexican history from a Mexican viewpoint is to be the basis for a series of films, depicting highlights of this land's progress from the Spanish conquest in 1519 to today. They will be produced in the near future by a cooperative society of native directors, scenarists, players, technicians, etc. Alberto M. Saavedra, a lawyer, is the moving spirit of the enterprise, which will seek world distribution.

Saavedra asserts that he and associates were inspired to start making historical pictures along lines they deem to be correct by viewing "Juarez y Maximiliano" ("Juarez and Maximilian"), a Columbia release, made in Mexico. The company is arranging to make as its first picture a production that will present what it considers to be the true Mexican side of the Maximilian era.

Reopen at Lawrence

LAWRENCE, Kan., Sept. 13.—Reopening Saturday night after being closed for remodeling, the Dickinson here will stage a special 10 P. M. show with Paramount's "She Loves Me Not" and a presentation, hiking the tariff to 50 cents for the one performance. Regular price will probably be 35 cents. A pipe organ has been installed, one of the few in operation in this territory.

Suzanne Wood Is Dead

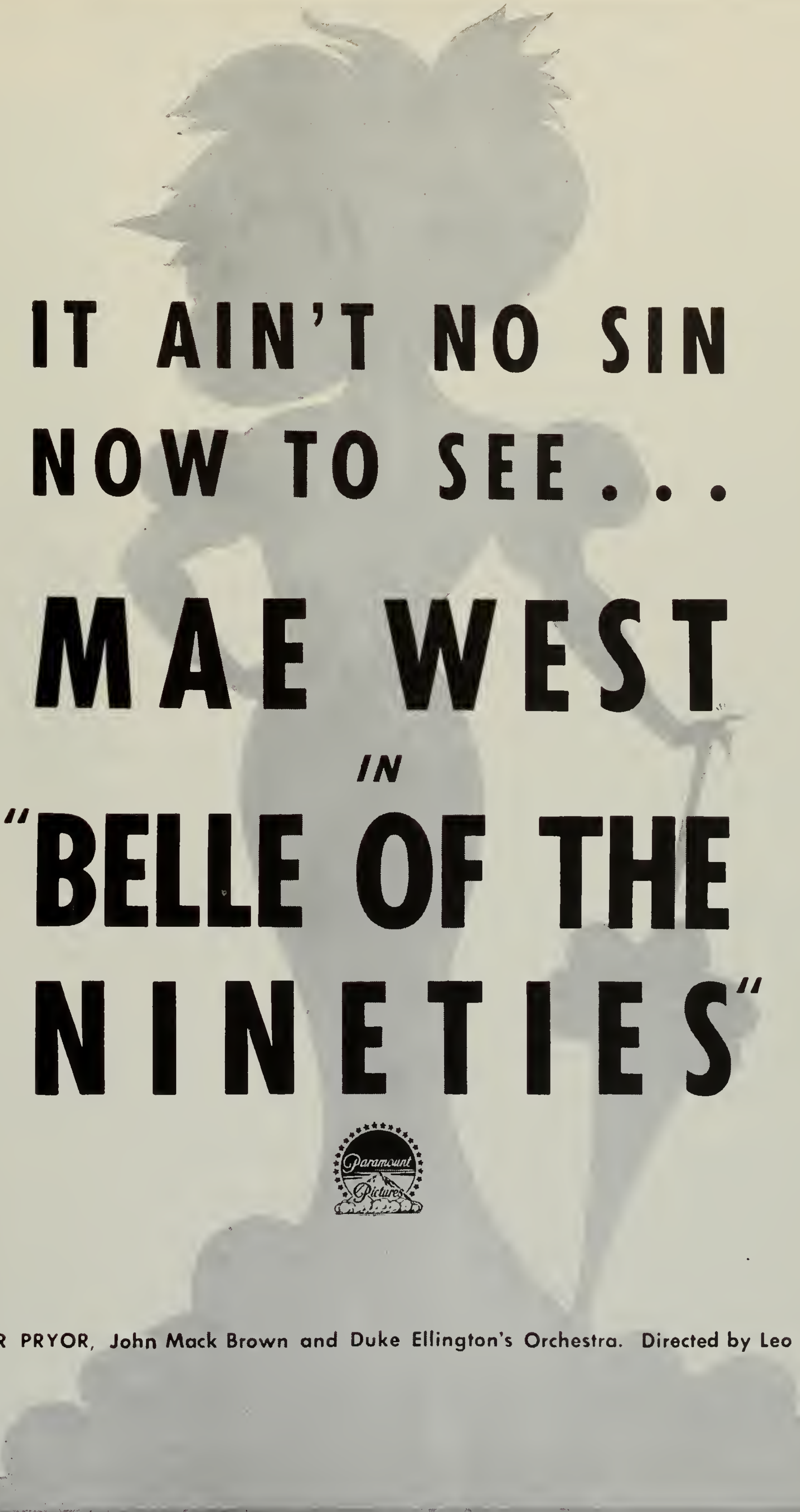
HOLLYWOOD, Sept. 13.—Suzanne Wood, veteran actress and authoress, died yesterday at her home here after a long illness. She had devoted her efforts to screen acting the past two years. Surviving is a sister, Kay Wood of Chicago. Miss Wood was 70.

Farnol Quits L.A. Today

HOLLYWOOD, Sept. 13.—Lynn Farnol leaves for New York tomorrow. After the premiere of Eddie Cantor's "Kid Millions" there, he will sail for Europe with the comedian, who leaves for the east within a week.

Leave Hollywood Sept. 18

HOLLYWOOD, Sept. 13.—Joseph M. Schenck and Douglas Fairbanks leave the coast on Sept. 18.



IT AIN'T NO SIN NOW TO SEE . . .

MAE WEST

IN

"BELLE OF THE NINETIES"

Paramount Pictures

with ROGER PRYOR, John Mack Brown and Duke Ellington's Orchestra. Directed by Leo McCarey

Big Electric Suits On September List

(Continued from page 1)

September calendar of the U. S. District Court here.

The following are listed for trials:

General Talking Pictures, represented by Hugh M. Morris, Wilmington, vs. A. T. & T., Western Electric and Erpi, represented by Marvel, Morford, Ward & Logan, Wilmington.

Harry Koplar, represented by Richards, Layton and Finger, Wilmington, vs. Warners, represented by Hugh M. Morris.

Duovac Radio Corp., represented by Hugh M. Morris, vs. A. T. & T., Western Electric and Erpi, represented by Marvel, Morford, Ward & Logan.

Max Goldberg, Salem, Mass., represented by Haring & Morris, Wilmington vs. Warners, and Harry M. Warner, et al., represented by Hugh M. Morris.

International Research Corp., represented by E. E. Berl, Wilmington, vs U. S. Radio and Television Corp., represented by Hugh M. Morris.

Radio Patents Corp., represented by Hugh M. Morris, against Westinghouse Electric Supply Co., represented by E. E. Berl.

Westinghouse Electric & Mfg. Co., represented by Hugh M. Morris against Hammond Clock Co., represented by E. E. Berl.

The following are listed for argument:

News Projection Corp., represented by Ward & Gray, Wilmington, against Trans Lux Daylight Picture Screen Corp., represented by John Biggs, Jr., Wilmington.

Helen May Fessenden, admx. of estate of Reginald A. Fessenden, represented by E. E. Berl against RCA, represented by William G. Mahaffey, Wilmington.

D. of C. Houses Get $4,792,000 in Year

WASHINGTON, Sept. 13.—Theatres in the District of Columbia last year reported total receipts of $4,792,000 and an aggregate payroll of $861,000, according to figures made public by the U. S. Census Bureau.

The survey showed a total of 24 theatres of all kinds in the district, there being no breakdown showing the number or receipts of the motion picture houses.

Para. Claims Increased

The period for filing claims against Paramount Publix as a debtor corporation under Section 77-B of the bankruptcy laws expires tomorrow. Numerous additional claims not filed against the company in its bankruptcy proceedings have been listed by creditors since June 16, the date on which it was made a debtor corporation for reorganization under the new bankruptcy laws.

Sidney Adds Duties

Louis K. Sidney has added duties of supervisor of sound projection in all Loew theatres in addition to his other work. Up to the present time, Charles C. Moskowitz has eben handling this, but since he has taken over some of E. A. Schiller's duties, he has had to be relieved of a portion of the work.

MOTION PICTURE DAILY'S HOLLYWOOD PREVIEW

"Dude Ranger"

(Sol Lesser-John Zanft-Fox)

HOLLYWOOD, Sept. 13.—Where westerns go this will go, as it contains the ingredients of that popular star, George O'Brien, plus Zane Grey's name, together with matchless natural scenery captured in panoramas of breath-taking beauty.

The story is not unusual. It brings George west as the owner, incognito, of a ranch left by his uncle. He finds it losing money and the accounts doctored and the stock depleted. Irene Hervey, the snooty daughter of the ranch manager, high-hats George, who gives her measure for measure. Piqued, she requests her dad to give George a cowboy's job. Suspected as an intruder and a romeo, opposing forces conspire to get him out of the way. George uncovers cattle rustling and pins the guilt on the heavy (Leroy Mason), who is Irene's suitor. After gunplay, fast riding and romantic misunderstandings George and Irene get together.

Barry Barringer wrote the screen play and dialogue. Eddie Cline, responsible for "Peck's Bad Boy," directed. Frank Good's photography is excellent. Miss Hervey, a newcomer, shows promise. Sid Saylor's comedy stands out. The production has a genuine western flavor.

For neighborhood houses and young folks' matinees this should register as acceptable entertainment.

No code seal. Running time, 65 minutes.

Looking 'Em Over

"Gay Love"

(British Lion)

LONDON, Sept. 13.—Again a British producing company has made a picture which possesses what America wants in screen entertainment—speed, humor, variety, sentiment and tunefulness. It's another feather in the cap of Leslie Hiscott, one of the very best, though not the most loudly boosted, of British directors.

With two big obvious box-office values in Sophie Tucker and Florence Desmond, Hiscott has used them like an artist and a showman. Sophie just comes in to do her stuff, but her appearance does no violence to the plot; she is a fellow artiste of the heroine (Miss Desmond) and it's in order that she should rehearse and appear on the same stage with her. And, good as Sophie is, she takes second place to Miss Desmond. Famous as an impersonator, the latter acts charmingly. There is a very clever sentimental-humorous finale in which she makes love, in the role of Mae West, to an unsuspecting hero.

Quite a strong story, turning on the willingness of the impetuous and lovable Gloria Fellowes, stage star, to sacrifice herself for an unworthy gold-digging sister. Engaged, because he can't escape her, to the man who really loves the singer, she finally grabs a better offer and leaves the way clear for the happy, and whimsically clever, ending. In the unwinding of the entanglement, there is a wealth of back stage stuff, very well done, the straight variety acts already mentioned, and an amusing characterization of an old dresser by Sydney Fairbrother.

BRUCE ALLAN

"The Scarlet Empress," this morning's opener at the Capitol, was reviewed from Hollywood by wire on April 18.

"Desirable," last night's preview at the Strand, was reviewed from Hollywood by wire on Aug. 11.

"The Human Side," last night's preview at the Roxy, was reviewed from Hollywood by wire on Aug. 8.

Murray on GFTA Board

ATLANTA, Ga., Sept. 13.—W. T. Murray, manager of the Rialto, has been elected to the board of directors of G.F.T.A., to succeed J. C. H. Wink, resigned.

Now "Part Time Lady"

HOLLYWOOD, Sept. 13.—Columbia has changed the title of "Orchids and Onions," to "Part Time Lady." Carole Lombard and May Robson are co-starred.

Warners Hold Astor

HOLLYWOOD, Sept. 13. — Warners have signed Mary Astor to a new long term contract with a tilt in salary. The actress is now appearing in "I Am a Thief," opposite Ricardo Cortez.

New Vicksburg Theatre

VICKSBURG, Miss., Sept. 13.—The Strand, a new theatre, has opened here under the management of Jimmie Adams and Independent Theatres, Inc.

Short Subjects

"Pathe Review"

(Radio No. 5)

An interesting number of the new series that has an imaginary day in the life of a rabbit, with real animals playing the parts, as a beginning, then a cowboy song by Carson Robbins and his Buckaroos, shots of tulip time in Holland and a very interesting windup of a scientific illustration of the moon's formation. Running time, 19 mins.

"Can You Take It?"

(Paramount)

A very amusing cartoon in which Popeye, the Sailor, undergoes an initation into the Bruisers' Club after taking a swig of spinach. Mistaken for a weakling, Popeye is subjected to all sorts of tests and winds up by wrecking the clubhouse and appointing himself president of the organization. Running time, 6 mins.

"Mild Cargo"

(Radio)

A hilarious burlesque on Frank Buck's "Wild Cargo" that should make any audience roar. Cubby, the bear, impersonates Buck and enters the jungle to bring back live specimens. His ingenious methods of capturing the animals and the final shot where all his captives march off chained together as members of a chain-gang are rib-tickling. Running time, 7½ mins.

"Going Places No. 2"

(Universal)

With explanatory dialogue by Lowell Thomas, this short is very interesting. Paris, baby animals in various zoos, the modern Russian woman, old Mexico and dances throughout the world are all included in the tour. Running time, 10 mins.

"The Big Idea"

(M-G-M)

With Ted Healy, his stooges, and Muriel Evans, this one should tickle the ribs of any audience. There is a semblance of a story in that Healy is an "idea getter" hard at work until interrupted by the continual, hilarious antics of the stooges. A projection room audience howled at this one. Running time, 20 mins.

"In Far Mandalay"

(Fox)

One of the "Magic Carpet" series picturing life in Burma. Interesting, educational and beautifully photographed, it is worth booking. The strains of "Mandalay" run through the film to provide a stirring musical background. Code seal No. 053. Running time, 9 mins.

"Super-Stupid"

(Educational)

With Vince Barnett and Billy Gilbert featured, this comedy is little better than mild. The humor is of the obvious sort but is good for a number of laughs. The film has to do with two dumb street salesmen who are constantly getting themselves into trouble. Running time, 19 mins.

SYMBOL OF A NOTABLE ACHIEVEMENT

Neon-lighted sign recently installed over the coast headquarters building of Quigley Publications.

Nightly over Los Angeles and Hollywood this symbol of the service and utility of the three Quigley motion picture publications cuts through the darkness.

Swiftly *MOTION PICTURE DAILY* gathers the news from all corners of the world and speeds it to key executives everywhere—itself a key factor where plans are made and action evolved.

The all-embracing *MOTION PICTURE HERALD* publishes and interprets the great news-happenings of the week for more than 15,000 showmen throughout the world.

And each year *MOTION PICTURE ALMANAC* reviews, compiles and analyzes the facts and figures for the twelve-month past, offering an historical perspective and a basis for the season to come.

QUIGLEY PUBLICATIONS

OFFICES IN *NEW YORK* *CHICAGO* *HOLLYWOOD*

"Chained" at Capitol Gets Good $61,700

Broadway grosses were strong in a number of spots during the opening week of September, with "Chained" taking important money, $61,700, at the Capitol. Phil Spitalny and his revue were on the stage.

The two holdovers, "Cleopatra," in its third week at the Paramount, and "Dames," in its third at the Strand, were still pulling well. The former took $35,000 and the latter $23,000.

"Crime Without Passion" grabbed $24,000 in 12 days at the Rialto, and "The Fountain" ran up to $97,000 at the Music Hall.

Estimated takings:

Week Ending Sept. 4:

"BULLDOG DRUMMOND STRIKES BACK" (U. A.)

RIVOLI—(2,200), 40c-99c, 3rd week, 7 days. **Gross:** $22,000.

Week Ending Sept. 5:

"THE FOUNTAIN" (Radio)

RADIO CITY MUSIC HALL—(5,945), 35c-$1.65, 7 days. Stage show. **Gross:** $97,000.

Week Ending Sept. 6:

"CHAINED" (M-G-M)

CAPITOL—(4,700), 35c-$1.65, 7 days. Stage: Phil Spitalny and his all-girl revue. **Gross:** $61,700.

"BLIND DATE" (Col.)

PALACE—(2,500), 25c-75c, 7 days. Vaudeville. **Gross:** $9,000.

"CLEOPATRA" (Para.)

PARAMOUNT—(3,700), 35c-99c, 3rd week, 7 days. **Gross:** $35,000.

"WE'RE RICH AGAIN" (Univ.)

ROXY—(6,200), 25c-55c, 7 days. Stage show. **Gross:** $32,600.

"DAMES" (Warner)

STRAND—(2,000), 25c-$1.10, 3rd week, 7 days. **Gross:** $23,000.

Week Ending Sept. 11:

"THEIR MAD MOMENT" (Radio)

MAYFAIR—(2,300), 35c-65c, 7 days. **Gross:** $7,000.

"CRIME WITHOUT PASSION" (Para.)

RIALTO—(2,300), 25c-65c, 12 days. **Gross:** $24,000.

St. Louis Opera Has Second Best Season

St. Louis, Sept. 13.—Second best in 16 years was the past season of the St. Louis Municipal Opera. Over 700,000 admissions for the 82 performances given were rolled up including 66,652 for the final week. Whether the opera made a profit will not be learned until a complete audit is made, but the guarantors will not be called upon to make good on pledges. Last year the opera had a surplus of $5,540.

New Broadcasting Slant

Hollywood, Sept. 13.—Paramount's "College Rhythm" unit will go on the air with the Maxwell House "Showboat" broadcast with Lanny Ross and Director Norman Taurog doing the chief etherizing from the Los Angeles Coliseum where the company is working.

This is reported to be the first time a motion picture company has been on the air while actually working.

"Tiptoes" Title Shifted

Hollywood, Sept. 13.—Tite of the Evelyn Laye-Ramon Novarro picture at M-G-M has been changed from "Tiptoes" to "The Night Is Young." Dudley Murphy will direct.

"Dames" Is $5,000 Draw in Portland

Portland, Sept. 13.—"Dames" was held for a second week at Hamrick's Music Box after securing $5,000, or a full $2,000 over normal.

"The Cat's Paw" also arrived at the Paramount just the right week to take in $6,000, or $1,000 over normal.

Total first run business was $24,300. Average is $22,000.

Estimated takings for the week ending Sept. 6:

"HIDEOUT" (M-G-M)

BROADWAY — (1,912), 25c-35c-40c, 7 days. **Gross:** $4,800. (Average, $5,000)

"COCKEYED CAVALIERS" (Radio)

HAMRICK'S ORIENTAL—(2,000), 25c, 7 days. **Gross:** $2,000. (Average, $2,000)

"DAMES" (Warners)

HAMRICK'S MUSIC BOX—(2,000), 25c-35c-40c, 7 days. **Gross:** $5,000. (Average, $3,000).

"SALLY OF THE SUBWAY" (Majestic)

PANTAGES — (1,700), 15c-25c, 7 days. Stage Show. **Gross:** $1,700. (Average, $2,000)

"THE CAT'S PAW" (Fox)
"MOST PRECIOUS THING IN LIFE" (Para.)

PARAMOUNT — (3,008), 25c-35c-40c, 7 days. **Gross:** $6,000. (Average, $5,000)

"CHAINED" (M-G-M)

UNITED ARTISTS — (945), 25c-35c-40c. **Gross:** $4,800. (Average, $5,000).

"Dames" Tops Huge Upturn In Pittsburgh

Pittsburgh, Sept. 13.—In a general upturn in business that sent grosses back to the 1930 levels "Dames" and "Chained" piled up remarkable totals. The former at $18,000 in the Stanley was just 100 per cent over normal and the latter with $20,000 at the Penn was $8,000 up.

It was a field day all along the line, with average grosses going by the board. The opening of the Alvin under the management of the Harris Amusement Co. with "Baby Take a Bow" gave that house a great $12,000, while the Pitt, with "Born to Be Bad" and seven acts of vaudeville, got away to a great start at $7,700.

Only the Fulton, "The World Moves On," was off, getting only $3,500 in four days when the picture was pulled to make way for "Handy Andy." Even the Warner managed to break even at $5,000 with "The Dragon Murder Case" and "Elmer and Elsie."

Total grosses in six first run houses were $66,700. Average is $41,500.

Estimated takings for the week ending Sept. 6:

"BABY TAKE A BOW" (Fox)

ALVIN—(2,000), 25c-40c, 6 days. **Gross:** $12,000. (Estimated average, $5,000)

"THE WORLD MOVES ON" (Fox)

FULTON—(1,750), 15c-40c, 4 days. **Gross:** $3,500. (Average, 6 days, $4,500)

"CHAINED" (M-G-M)

PENN—(3,300), 25c-50c, 6 days. **Gross:** $20,000. (Average, $12,000)

"BORN TO BE BAD" (U. A.)

PITT—(1,600), 15c-35c, 6 days. Stage: Jay Mills and Mildred Tollie, France and LaPell, Fields and Georgie, Mary Marvin, Dixie Four, Nellie Armaut and Brothers and Jans-Lynton revue. **Gross:** $7,700. (Average, $6,000)

"DAMES" (Warners)

STANLEY—(3,600), 25c-50c, 7 days. **Gross:** $18,000. (Average, for six days, $9,000)

"DRAGON MURDER CASE" (Warners)
"ELMER AND ELSIE" (Para.)

WARNER—(2,000), 25c-40c, 6 days. **Gross:** $5,000. (Average, $5,000)

"Cellini" Lead in Montreal's Pickup

Montreal, Sept. 13. — First runs showed a decided pickup last week. Heading the list was "The Affairs of Cellini," with "The Ninth Guest" as the other half of a dual bill at the United Artists. The combination topped par by $1,500 on a $7,500 gross.

The Palace jumped back to normal, $11,000, with "Now and Forever" and "Kiss and Make Up," and the Capitol went over the line to $9,500 on "She Loves Me Not" and "The Notorious Sophie Lang."

Total business was $42,500. Average is $43,000.

Estimated takings for the week ending Sept. 8:

"SHE LOVES ME NOT" (Para.)
"THE NOTORIOUS SOPHIE LANG" (Para.)

CAPITOL—(2:547), 25c-35c-40c-50c-60c, 7 days. **Gross:** $9,500. (Average, $9,000)

"CIMARRON" (Radio) (Revival)

IMPERIAL—(1,914), 25c-40c-50c, 7 days. Stage: Peggy Eames, Walsh Bros. & Duncan. Edwards & Sanford, Joe Wilton and Three American Beauties, Al. Mandel and Girls. **Gross:** $5,000. (Average, $6,500)

"ELMER AND ELSIE" (Para.)
"CRIME WITHOUT PASSION" (Para.)

LOEW'S—(3,115), 25c-35c50c-65c, 7 days **Gross:** $9,500. (Average, $10,500).

"NOW AND FOREVER" (Para.)
"KISS AND MAKEUP" (Para.)

PALACE—(2,600), 25c-35c-50c-75c, 7 days. **Gross:** $11,000. (Average, $11,000)

"THE AFFAIRS OF CELLINI" (U. A.)
"THE NINTH GUEST" (Col.)

PRINCESS — (2,272), 25c-35c-50c-65c, 7 days. **Gross:** $7,500. (Average, $6,000)

Canton House Drops Double Bill Policy

Canton, Sept. 13.—George A. Delis, division manager for the A. G. Constant circuit, which includes the Palace here, has dropped dual programs in favor of single features. Instead of two changes weekly, features are to be held a week. He says business is the best at the local house in the three years it has been under Constant control and that the 28-cent top admission will continue through the fall. The Palace here is charging the lowest admission of the three local major houses, Loew's and Warners' Alhambra each maintaining 35 cents top.

Delis also reported that business with both the State and American in East Liverpool shows improvement, with pickup in recent months of the pottery industry in the upper Ohio valley.

Order End of Cincy Cuts

Cincinnati, Sept. 13.—Upon complaint of J. F. Drebert of the Princess, Boomer, W. Va., the local grievance board has ordered Paul V. McKay, operating the Avalon, Montgomery, W. Va., to discontinue issuing cut rate coupons.

Another case, Paramount vs. J. A. Allison, Lawrenceburg, Ky., involving transfer of the Lyric, was postponed until further information could be obtained.

Dahn in Montreal Job

Montreal, Sept. 13.—Harry Dahn is back in Montreal as manager of the Capitol, George Rotsky having returned to his old love, the Palace. Dahn was transferred to Winnipeg a year ago as western division manager by Famous Players Canadian Corp.

"One Night," Frisco, Gets Big $16,000

San Francisco, Sept. 13.—"One Night of Love" got off to a flying start at the Orpheum, running up a gross of $16,000 that topped par by $7,000.

"Treasure Island" was an outstanding draw at the St. Francis, pulling $10,000, and "Bulldog Drummond Strikes Back" went over the line with an $8,500 take at the United Artists.

Total first run business was $93,500. Average is $85,000.

Estimated takings:

Week Ending Sept. 4:

"DOWN TO THEIR LAST YACHT" (Radio)

GOLDEN GATE—(2,800), 25c-35c-40c, 7 days. Stage, band. **Gross:** $12,000. (Average, $13,000)

Week Ending Sept. 5:

"HIDE OUT" (M-G-M)
"CHARLIE CHAN IN LONDON" (Fox)

FOX—(4,600), 15c-30c-40c, 7 days. **Gross:** $12,000. (Average, $14,000)

"SCARLET EMPRESS" (Para.)

PARAMOUNT—(2,670), 15c-35cs-55c-65c, 7 days. **Gross:** $10,000. (Average, $11,000)

"NOW AND FOREVER" (Para.)

WARFIELD—(2,700), 25c-35c-55c-65c, 7 days. Stage, vaudeville. George Sidney in person. **Gross:** $25,000. (Average, $22,000)

Week Ending Sept. 6:

"ONE NIGHT OF LOVE" (Col.)

ORPHEUM — (2,000), 15c-30c-35c-40c, 7 days. **Gross:** $16,000. (Average, $9,000)

"TREASURE ISLAND" (M-G-M)

ST. FRANCIS—(1,400), 15c-35c-55c-65c, 7 days. **Gross:** $10,000. (Average, $8,000)

Week Ending Sept. 7:

"BULLDOG DRUMMOND STRIKES BACK" (U. A.)

UNITED ARTISTS—(1,200), 15c-35c-55c, 7 days. **Gross:** $8,500. (Average, $8,000)

"Chained" Is $17,500 Wow In Cleveland

Cleveland, Sept. 13. — "Chained" did terrific business at Loew's State, topping the average by $7,500 with a gross of $17,500 in the face of heavy opposition from the annual air races that drew approximately 250,000 attendance over Labor Day week-end. "Dames" at Warners' Hippodrome was another knockout with $15,000 gross in an $8,000 average house. It is being held a second week. A stage show with "Midnight Alibi" at advanced prices at the Palace was not so hot.

Total first run business was $56,700. Average is $45,000.

Estimated takings for the week ending Sept. 7:

"DAMES" (Warners)

WARNERS' HIPPODROME—(3,800), 30c-35c-44c, 7 days. **Gross:** $15,000. (Average, $8,000)

"THE WORLD MOVES ON" (Fox)

ALLEN—(3,300), 20c-30c-40c, 7 days. **Gross:** $5,000. (Average, $3,000)

"MIDNIGHT ALIBI" (F. N.)

RKO PALACE—(3,100), 30c-40c-60c, 7 days. Stage: Bowery Music Hall Follies. **Gross:** $16,000. (Average, $18,000)

"CHAINED" (M-G-M)

LOEW'S STATE—(3,400), 30c-35c-44c, 7 days. **Gross:** $17,500. (Average, $10,000)

"LADIES SHOULD LISTEN" (Para.)

LOEW'S STILLMAN—(900), 20c-30c-40c, 7 days. **Gross:** $3,200. (Average, $4,000)

"Cat's Paw" Hits Detroit For $26,500

DETROIT, Sept. 13.—"The Cat's Paw" knocked all predictions flatter than a pancake and left the Fox cashiers gasping for air. The $26,500 take was $11,500 over normal. Prices here and at the Michigan had been tilted to 65 cents, and that helped.

"Now and Forever" was the Michigan attraction, with the Gertrude Hoffman girls on the stage. The take was a fine $23,600. "Dames" was good for $4,700 in its second downtown week at the Fisher.

A holiday spirit prevailed with State Fair visitors and the Red Arrow convention here. The weather was cool. The Broadway-Capitol reopened after having been dark since 1931. George W. Trendle is operating.

First run grosses for the week were $64,400. Average is $65,000.

Estimated takings for the week ending Sept. 6:

"SCARLET EMPRESS" (Para.)
BROADWAY-CAPITOL—(3,448), 15c-40c, 7 days. **Gross:** $5,200. (Average, $10,000.)

"DAMES" (Warners)
FISHER—(2,975), 15c-50c, 7 days, 2nd week. **Gross:** $4,700. (Average, $10,000.)

"CAT'S PAW" (Fox)
FOX—(5,100), 15c-50c, 7 days. Stage: "The Bowery Follies," Revue of Gay 90's. **Gross:** $26,500. (Average, $15,000.)

"NOW AND FOREVER" (Para.)
MICHIGAN—(4,100), 15c-65c, 7 days. Stage: The 18 Gertrude Hoffman Girls-Bob Hope Co. **Gross:** $23,600. (Average, $20,000.)

"THE AFFAIRS OF CELLINI" (U. A.)
UNITED ARTISTS—(2,070), 25c-50c, 7 days. **Gross:** $6,400. (Average, $10,000.)

Sonotone to Issue 100,000 New Shares

Sonotone Corp., organized three years ago to manufacture and sell hearing aid devices, is issuing 100,000 shares of new common stock at market prices for the financing of an expansion program and to provide new working capital, Hugo Lieber, president, said yesterday.

The new issue is expected to raise $255,000. The bulk of it, it is expected, will be subscribed for by employes of the company and Sonotone dealers. Lieber revealed that Sonotone's net income for the six months ending last June 30 amounted to $47,018, as compared with $90,963 for the entire year 1933. The company's personnel has been increased 590 per cent and sales 700 per cent in the past two years, Lieber reported.

Mrs. Ellis Found Dead

KANSAS CITY, Sept. 13.—After admitting to a Federal agent that she had faked a kidnaping and attempted extortions to excite interest for W. Lee Vaughan, Kansas City, Kan., theatre owner and civic leader, Mrs. Laura Ellis was found a suicide. According to the investigators, Mrs. Ellis confessed she feared harm would come to Vaughan, owner of the Art Theatre, because of his refusal to accede to the demands of union operators and that she perpetrated a series of hoaxes to shift the blame for her terrorization to the unions.

Kansas City Grosses Show Big Increase

KANSAS CITY, Sept. 13.—The outstanding feature as local showshops swung into the new season's stride was the aggregate take of $52,900 for the five first runs, soaring above previous averages by $18,400 to top all totals in many moons.

Business was great in all theatres. Counteracting rainy weather and the opening of school, Labor Day's holiday mood extended to the box-offices.

"Chained" gave the Midland $18,700, while "Now and Forever" skyrocketed the Newman's gross to $9,200. At $8,500, "Handy Andy" delivered sensationally at the Uptown, which upped its price from 25 to 40 cents.

The Mainstreet also joined the price boosting parade and at a top of 45 cents, plus tax, pulled $9,000 with "Hat, Coat and Glove" and "World's Fair Scandals" on the stage. "Wild Gold" and stage show registered $7,500 at the Tower, above par by $1,000.

Total first run business was $52,900.

Estimated takings:

Week Ending Sept. 5:

"HANDY ANDY" (Fox)
UPTOWN—(2,000), 25c-40c, 7 days. **Gross:** $8,500. (Average at previous 25-cent price, $3,500)

Week Ending Sept. 6:

"HAT, COAT AND GLOVE" (Radio)
MAINSTREET—(3,100), 25c-35c-45c (plus tax), 7 days, plus Saturday late show. Stage: "World's Fair Scandals," featuring Ralph Cook, Floyd Christy, Judith, Three St. Johns, Virginia Heavey, Texas Guinan Gang. **Gross:** $9,000. Average for combination shows, $9,000)

"CHAINED" (M-G-M)
MIDLAND—(4,000), 25c-40c, 7 days, plus Saturday midnight show. **Gross:** $18,700. (Average for previous 25-cent price, $10,000)

"NOW AND FOREVER" (Para.)
NEWMAN—(1,800), 25c-40c, 7 days, plus Saturday midnight show. **Gross:** $9,200. (Average for previous 25-cent price, $5,500)

"WILD GOLD" (Fox)
TOWER—(2,200), 25c, 7 days, plus Saturday midnight show. Stage: "The Good Old Days" revue, featuring Art Frank & Co., Baron Emerson & Count Baldwin, Moroni & Coralee, Lester Harding, m. c. **Gross:** $7,500. (Average, $6,500)

Denver Outing Sept. 18

DENVER, Sept. 13.—The first annual exhibitors' and distributors' outing will be held at the Lakewood Country Club Sept. 18. All exchange, theatre and equipment men in the territory probably will attend. There will be golf and bridge tournments, a baseball game, banquet and dancing.

There has been nothing of this sort pulled here since the M. P. T. O. quit its annual meetings in the summer.

Sisk to Leave Oct. 1

Robert Sisk plans to leave for the coast around Oct. 1 to take up his new duties as assistant to J. R. McDonough, president of RKO Radio Pictures. Before heading west, Sisk plans to take a short vacation cruise.

Drops Prices in St. Louis

ST. LOUIS, Sept. 13.—F. & M. tomorrow institute reductions in admissions at the Ambassador, Missouri and Fox. The new scales will be 40 cents for evenings and 25 cents for matinees.

Charles Ryan Heads Warners in Chicago

CHICAGO, Sept. 13.—A shakeup in the Warner theatre offices here places Charles Ryan, who has been district manager, in charge of all Warner houses directly under James E. Coston, manager. Harry Turrell, who has been manager of the Capitol, has been appointed a district manager continuing also his management of the Capitol.

Turrell succeeds L. F. Gran, who has been office manager and district manager and who has resigned to operate his own theatres in Wisconsin.

Larry Stein, in charge of advertising and publicity has taken over a district managership including Hammond, Ind., in addition to his present duties.

Lewis to Build in L. A.

HOLLYWOOD, Sept. 13. — Herman Lewis, veteran theatre executive of Southern California, will invade this city by building a new house on the corner of Vermont and Russell Aves. The structure will cost approximately $40,000 and seat 750 patrons. Construction will start early next month and the house will be ready for occupancy Christmas Day.

Hold Cecilia Parker

HOLLYWOOD, Sept. 13.—Paramount will hold Cecilia Parker for a second picture. She was borrowed from M-G-M for a role in "Enter Madame." Her next will be with Bing Crosby in "Here Is My Heart."

Grace Moore $25,904 Hit On the Coast

LOS ANGELES, Sept. 13.—"One Night of Love" went over with a bang following a $1.50 opening at the Paramount and skyrocketed the gross to $25,904. This leaves par $7,904 behind.

Other houses felt the competition.

Total first run business was $74,704. Average is $69,200 without the United Artists.

Estimated takings for the week ending Sept. 12:

"THE WORLD MOVES ON" (Fox)
LOEW'S STATE—(2,413), 30c-55c, 7 days. **Gross:** $6,500. (Average, $14,000)

"ONE NIGHT OF LOVE" (Col.)
PARAMOUNT—(3,595), $1.10 premiere, 30c-55c, 7 days. Stage: Al Lyons and his Ambassadors, F. & M. revue. **Gross:** $25,904. (Average, $18,000)

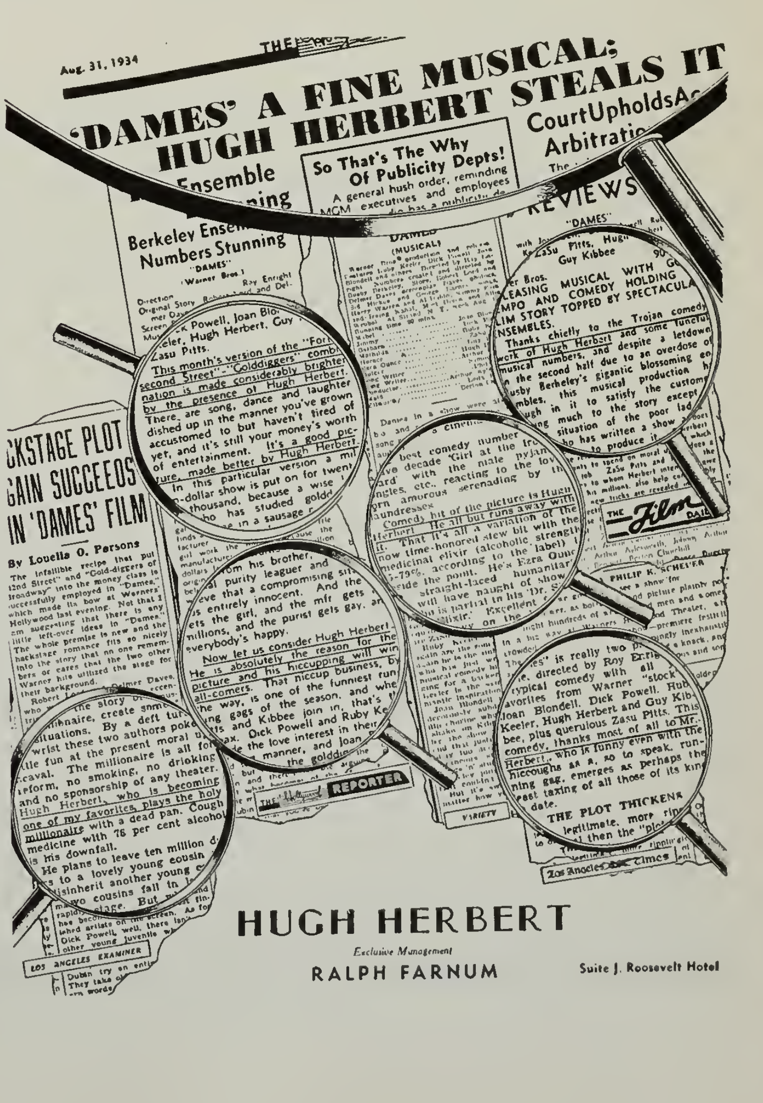
"YOUNG AND BEAUTIFUL" (Mascot)
RKO—(2,700), 25c-40c, 7 days. Fashion show once daily. **Gross:** $5,000. (Average, $8,000)

"HOUSE OF ROTHSCHILD" (U. A.)
UNITED ARTISTS—(2,100), 30c-55c. 7 days, 2nd week. **Gross:** $8,500.

"DAMES" (Warners)
WARNER BROS. (HOLLYWOOD) — (3,000), 25c-55c, 7 days, 2nd week. **Gross:** $14,500. (Average, $14,000)

"DAMES" (Warners)
WARNER BROS. (DOWNTOWN) — (3,400), 25c-55c, 7 days, 2nd week. **Gross:** $10,500. (Average, $12,000)

"THERE'S ALWAYS TOMORROW" (Univ.)
"PURSUED" (Fox)
PANTAGES — (3,000), 25c-40c, 7 days. **Gross:** $3,600. (Average, $3,200)


Aug. 31, 1934
'DAMES' A FINE MUSICAL; HUGH HERBERT STEALS IT
Court Upholds A
Arbitratio
So That's The Why Of Publicity Depts!
Berkeley Ensemble Numbers Stunning
REVIEWS
"DAMES"
PLEASING MUSICAL AND COMEDY HOLDING TEMPO AND COMEDY TOPPED BY SPECTACULAR ENSEMBLES.
BACKSTAGE PLOT GAIN SUCCEEDS IN 'DAMES' FILM
By Louella O. Parsons
THE PLOT THICKENS
REPORTER
VARIETY
The Film Daily
Los Angeles Times
LOS ANGELES EXAMINER
HUGH HERBERT
Exclusive Management
RALPH FARNUM
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Gross Business of the Week Just Finished at RADIO CITY MUSIC HALL

With

GRACE MOORE

In

ONE NIGHT OF LOVE

Amounted To

$104,120

This Is The Largest Week's Gross of An Impressive Array of Important Pictures—With The Exception of One—In The History of THE RADIO CITY MUSIC HALL

●

Held for 2nd week, Radio City Music Hall, New York.
Broke the all time record at the Paramount Theatre, Los Angeles. Now in 2nd week.
Held for 3rd week, Orpheum Theatre, San Francisco.
Held for 3rd week, Garrick Theatre, Winnipeg, Canada.
Held for 2nd week, Orpheum Theatre, Salt Lake City.

a COLUMBIA PICTURE

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MOTION PICTURE DAILY

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VOL. 36. NO. 64 NEW YORK, SATURDAY, SEPTEMBER 15, 1934 TEN CENTS

Mill Strikes Hit Theatres In Many Spots

Cut from 10 to 50% in Scattered Towns

Strike disturbances in the textile centers of North and South Carolina, Georgia, Rhode Island and Massachusetts have cut attendance from 10 to 50 per cent in scores of affected theatres, reports indicate.

In Woonsocket, R. I., all theatres were closed by the authorities yesterday for an indefinite period in an emergency move to control public assemblages. Rioting which occurred in Woonsocket during the past few days led to the closings there, but a complete shutdown has also occurred in scattered sections of Georgia and South Carolina.

Attendance declines amounting to as much as 50 per cent in many instances, however, are being experienced in

(*Continued on page 4*)

Business in Florida Gaining—Chartrand

Florida is in better shape than it has been at any time since the dizzy days before 1929, according to Mark R. Chartrand, manager of the Biltmore, Miami. In fact, extensive building operations are being carried on in Miami, including apartment houses, homes and stores.

"People seem to have discovered," he says, "that it is an attractive summer as well as winter resort. Steamship companies have been running low-rate excursions all summer and there has been a heavy influx of visitors by auto and bus."

Fox Widens Control Of Milwaukee Spots

MILWAUKEE, Sept. 14.—With the announcement of H. J. Fitzgerald, general manager for Wisconsin Amusement Enterprises, Inc., Fox subsidiary, that it has taken over the operation of the Palace, 2,800-seat first

(*Continued on page 3*)

Philadelphia Cafe Will Screen Shorts

PHILADELPHIA, Sept. 14.—The Arcadia Cafe's new International Restaurant, scheduled for opening Thursday night, will feature films in its cocktail room.

Shorts will be offered, topped by local shots. The cafe will back weekly

(*Continued on page 2*)

President to Decide Upon NRA Future

By WILLIAM ORNSTEIN

Reorganization of the NRA along lines modeled after the Federal government, dividing it into three branches, with President Roosevelt himself handling the details, highlighted Administrator Hugh S. Johnson's talk last night at Carnegie Hall. Representatives of more than 400 codes attended.

In his thundering manner, Johnson hit the instigators of the textile strike, but, after discussing this topic at length, declared that "I cannot say much for the NRA because it is in its formative stage."

"It will be divided into three divisions patterned after the govern-

(*Continued on page 3*)

New M. P. Club Plan Up for Discussion

Plans for strengthening the M.P. Club were reported progressing yesterday by Felix Feist, president, following a meeting of the house committee.

Feist has several ideas in mind for building up the club to its former prestige, but is awaiting arrival of Louis Nizer from Europe this week before he proceeds. At the executive session yesterday, a general outline of activities was given Feist, who has pledged his full support to making the club a success under his administration.

Justice Inquiry on Coast Stirs Queries

WASHINGTON, Sept. 14.—Refusal of Department of Justice officials to discuss their recent inquiry on the west coast where a number of exhibitors have been called in for questioning is taken here as an indication that something is brewing.

Asked directly whether there was any significance in the west coast activities, Attorney General Cummings said that so far as he knew it was

(*Continued on page 3*)

Johnson Denies

In an exclusive interview late last night, following his talk at Carnegie Hall, Hugh S. Johnson hit reports that Division Administrator Sol A. Rosenblatt would resign from the NRA.

This discounts once and for all reports concerning Rosenblatt's anticipated resignation.

Blank-Publix Sign Deal on 26 Houses

A. H. Blank, acting as president and general manager of Tri-States Theatres, Inc., yesterday signed a contract with Paramount Publix for partnership operation of 26 theatres in Iowa, Nebraska and Illinois. He will control 50 per cent of the corporation's securities.

The deal brings to an end the temporary arrangement under which Blank has been operating the houses since shortly after the start of the Paramount receivership.

Under the terms of the agreement

(*Continued on page 4*)

London Writ Issued On Fight Pictures

By BRUCE ALLAN

LONDON, Sept. 14 (By Cable)—Jeff Dickson, fight promoter, has obtained writs against Pathe, Paramount British Pictorial Prods., the Plaza Theatre and A. B. C. Circuit to prevent them from using pirated shots of the Paterson-Gains bout. Exclusive rights are held by Gaumont British and Movietone.

Huffman's New Unit In Denver Orpheum

DENVER, Sept. 14.—The Centennial Theatre Corp., formed by Harry Huffman a few weeks ago to operate the Orpheum for the receiver, has bought the house for $500,000. The theatre was sold at sheriff's sale to the U. S. National Bank, trustees for the bondholders, for $410,000. RKO

(*Continued on page 2*)

Campi Adopts Clearance Based on Price Scales

Competitive Zones Are Ordered; Spur to Selling Seen

Clearance will be based on admission prices and competitive zones will be established by local boards, but theatres will not be designated by name as first, second or third runs under the 12 principles adopted by Campi.

Basing clearances on dual bills is also prohibited in accordance with the stand taken some weeks ago.

Adoption of the principles is expected to hasten the work of local boards. Selling in a number of important areas has been held up pending action.

Under the terms of a resolution adopted in connection with approval of the principles it is ruled that schedules of clearance and zoning which

(*Continued on page 3*)

Code Signing Time Limit to Be Ended

Reopening of code assents for all time has been approved by Campi in an amendment to the code. The resolution has been forwarded to the NRA for official ratification.

On Sept. 4, MOTION PICTURE

(*Continued an page 3*)

Board in Des Moines Voids Theatre Lease

DES MOINES, Sept. 14.—Voiding of a lease on the Iowa at Mason City has been ordered by the grievance board. Interference with negotiations was charged.

Mr. and Mrs. W. B. Krouse charged that W. E. Millington, owner, had leased the house to L. L. Kaplan of Waterloo without notice to them while they were still operating it. The board ordered that the Krouses were entitled to the new lease on the terms granted to Kaplan. The order becomes effective Oct. 1.

Broadway Grosses Hold Up Generally

Broadway's grosses stood up well last week in spite of the $104,120 which "One Night of Love" dragged into the Music Hall.

At the Roxy Universal's "Romance

(*Continued on page 2*)

MOTION PICTURE
DAILY
(Registered U. S. Patent Office)

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Aarons Clears Statement

Clarifying a recent statement attributed to him to the effect that the Parkway, Stone Harbor; Roxy, Northampton; Carmen, Philadelphia; and Casino, South Langhorne, Pa., were members of the M. P. T. O. of Eastern Pennsylvania, Southern New Jersey and Delaware, George P. Aarons says that owners of these houses recently informed him that they were not members of the I. E. P. A., never paid dues and publication of their names as members of that organization was without authorization.

Aarons adds that he did not state these houses were members of the M. P. T. O. unit.

Von Stroheim Due Today

Erich von Stroheim is due from Hollywood today by plane for a role in "Crime of Dr. Crespi," which John H. Auer will place in production at the Biograph studios on Tuesday.

The role originally was intended for James Barton, but the deal fell through Lou Goldberg and Ed Olmstead wrote the script.

Warner Club Heads Here

Presidents of all Warner Clubs throughout the country will convene in New York today for a general meeting called by Harold Rodner. Past and future activities will be discussed at the session.

Huffman's New Unit In Denver Orpheum

(Continued from page 1)

lost the house when it defaulted on the principal and interest on $500,000 bonds.

The contract calls for a down payment of $10,000, which has been made, and a payment of $21,000 to be made when the sheriff's deed can be delivered, Feb. 10, 1935. RKO has until then to redeem the property. The Denver Orpheum Co. issued the bonds, $500,000 worth, and they were guaranteed by the parent company.

Centennial will pay $1,050 weekly until Aug. 1, 1935, when the payments will be $1,250. This will be placed into a sinking fund to pay taxes, interest and principal. For the past year the theatre has been leased to the Welton Theatres Corp., in which Huffman and Marco of Fanchon & Marco were interested. Recently the court voided the Welton lease so Centennial could negotiate for the property. This move put Marco out of the Denver theatre picture.

Akerson Declines Post

WASHINGTON, Sept. 14.—George Akerson, former secretary to President Hoover and at one time a Paramount executive, has declined appointment as member of the Board of Appeals of the Veterans' Administration. He will become secretary to the code authority of the paper distributing industry.

Griffith Takes "U" List

James R. Grainger, general sales manager for Universal, has just closed with R. E. Griffith for the entire Universal list for 1934-35 in 60 situations in Texas, Oklahoma and New Mexico. Negotiations were handled on the spot by Harry Graham, midwest division manager.

CEA Protests Prints

LONDON, Sept. 14 (By Cable)—The Cinematograph Exhibitors' Ass'n has passed a resolution reproaching distributors for what is claimed to be inferior prints. They urge that American companies send over a negative or an early positive print.

Philadelphia Cafe Will Screen Shorts

(Continued from page 1)

releases of Philadelphia newsreel shots and for the opening plans pictures of the football training camps of Penn, Temple and Villanova, as well as the Schuylkill outboard regatta. Society blowouts will also get a play. Other commercial newsreels, travelogues and cartoons will be shown. The cocktail room will be so lighted that there will be no diminution of illumination needed for showing the films.

Broadway Grosses Hold Up Generally

(Continued from page 1)

in the Rain" with "Romance of a People" on the stage pulled $36,400. The Paramount took $45,000 on "She Loves Me Not." "Chained" at the Capitol held up to $37,360 in its second week.

"Affairs of Cellini" was strong at the Rivoli with $35,000.

John Myers Coming Here

LONDON, Sept. 14 (By Cable)—John Myers, publicity chief for London Films, is on the *Berengaria* headed for New York to confer on American exploitation methods. Premiere of "The Private Life of Don Juan" has been set for the Rivoli in New York, Sept. 27.

Columbia Reproduces Ads

Columbia is sending out to exhibitors a series of reproductions of New York newspaper ads on "One Night of Love" printed on buff coated stock and encased in a heavy paper cover 11 in. x 15 in. A one-sheet reproduction of all the New York newspaper criticisms also is included.

Benas to Talk Monday

John Benas, buyer for the Leon Rosenblatt circuit, will outline new product of all distributors at a meeting of the I. T. O. A. at the Astor on Monday. He made a five-hour analysis at the recent Allied of New Jersey convention at Atlantic City.

Most Stocks Off on Big Board

	High	Low	Close	Net Change	Sales
Columbia Pictures, vtc	30½	30	30	—2	300
Consolidated Film Industries	2⅞	2⅞	2⅞	+ ¼	100
Consolidated Film Industries, pfd	12½	12½	12½	.....	100
Eastman Kodak	96½	95	95	—1⅛	500
Fox Film "A"	11	10⅛	10½	— ¼	700
Loew's, Inc.	26⅝	25⅜	25⅜	—1	2,800
Loew's, Inc., pfd	90½	90½	90½	—1	100
Paramount Publix, cts	3⅝	3⅜	3½	— ⅛	4,000
Pathe Exchange	1⅛	1	1	— ⅛	800
Pathe Exchange "A"	12½	11⅞	11⅞	— ¼	600
RKO	2⅛	2	2	— ⅛	700
Warner Bros.	4⅛	3⅞	3⅞	— ¼	5,000

Trans Lux Drops ⅛ on Curb

	High	Low	Close	Net Change	Sales
Technicolor	12½	12	12	.....	700
Trans Lux	1⅝	1⅝	1⅝	— ⅛	100

RKO Bonds in One-Point Rise

	High	Low	Close	Net Change	Sales
General Theatre Equipment 6s '40	5⅝	5⅝	5⅝	— ⅛	1
General Theatre Equipment 6s '40, ctf	5	5	5	— ½	2
Keith B. F. 6s '46	55⅛	55	55	—1	6
Loew's 6s '41, ww deb rights	101	101	101	.....	1
Paramount F. L. 6s '47	48½	48	48½	+ ¾	2
Paramount Publix 5½s '50	48¼	47¾	48	+ ½	18
Pathe 7s '37, ww	98½	98½	98½	— ½	3
RKO 6s '41, pp	28	28	28	+1	1
Warner Bros. 6s '39, wd	51½	51	51	—1	16

◂ Purely Personal ▸

WILLIAM CLARK, Educational assistant manager, and HARVEY DAY, sales manager for the Terry-Toon comedies, leave tomorrow night on a tour of Fox exchanges which will take them to Charlotte, Atlanta, New Orleans, Memphis and Cincinnati.

FRANK M. DEE, FRANCES DEE's dad, here from San Francisco on business, will be a guest at the Music Hall premiere of Radio's "The Richest Girl in the World," in which his son-in-law, JOEL McCREA, is cast.

MIRIAM HOPKINS, who was forced to delay her trip to New York a week, arrives from the coast on Monday morning aboard the *California*. She will stay in town indefinitely.

STUART ERWIN started a week's personal appearance booking at Loew's State yesterday. He may tour other Loew houses, but it's not set yet, he says.

NAT GLASSER, Washington district manager for Warner theatres, is in town for a few days. Returns tomorrow.

JACK FULD yesterday returned from New Haven where he worked on an exploitation stunt on "Affairs of Cellini".

KAY FRANCIS, cutting short her European vacation, sends word she will sail for America within a week.

ALAN DINEHART is in the cast of "Alley Cat," which opens Monday.

HERBERT EBENSTEIN has returned from a quick trip to Hollywood.

ED KUYKENDALL leaves for New Orleans Tuesday.

TULLIO CARMINATI sails today for Italy on the *Rex*.

Flash Review

Beyond the Trail—For those western fans who like their heroes active and tough and who revel in chases down streams and over the countryside on horseback, this latest Monogram western is to be recommended. But it is slightly lacking in straight entertainment value.

This film will be reviewed in full in a later issue of MOTION PICTURE DAILY.

Emanuel, Gross to Speak

PHILADELPHIA, Sept. 14.—Jay Emanuel, Philadelphia exhibitor and publisher of *The Exhibitor*, and Sam Gross, Fox Films exchange man, will address the Philadelphia M. P. Forum at the Chamber of Commerce on Monday.

Emanuel will speak on "Trade Problems of a Publisher" and Gross will discuss block booking.

Gable to Star Alone

HOLLYWOOD, Sept. 14.—Clark Gable will be starred alone in 20th Century's forthcoming "It Had to Happen." The picture is scheduled to go into work in several weeks.

Balcon Delays His Trip

LONDON, Sept. 14 (By Cable)—Michael Balcon, production chief for Gaumont British, has delayed his departure for the United States until Sept. 22.

Campi Bases Clearance on Price Scales

(*Continued from page* 1)

may be adopted by any board will supersede any clearances specified in contracts between distributors and exhibitors, whether or not the agreements have been signed before adoption of the schedules by boards.

Boards are instructed to give due consideration to the effect clearances have on rental values for first runs and also are cautioned against granting unreasonable clearances because of the injustice to subsequent runs which is involved.

Competitive geographical areas must be clearly defined.

Of the many schedules on hand, Campi will hear protests on those that come within provisions set down by the clearance committee. A number of others will be sent back to local boards for protest hearings and redrafting.

Principles Are Listed

The principles adopted follow:

1. Members of local clearance and zoning boards should familiarize themselves thoroughly with the provisions of Article VI, Part 1, Section 4 of the code of fair competition for the motion picture industry, as follows:

> "Each board when making any classification of theatres, or when fixing the maximum period or area of clearance in respect of any theatre shall, among other things, consider and give due regard to the following factors:
>
> "(a) that clearance to a very considerable extent determines the rental value of motion pictures;
>
> "(b) that exhibitions of the same motion picture within the same competitive area at too short an interval after the conclusion of a preceding run or runs thereof by unduly restricting the competitive area in which clearance is limited, depreciates the rental value of motion pictures; and
>
> "(c) that all such depreciations of the rental values of motion pictures tend to reduce the number of motion pictures produced, discourages the production of motion pictures of quality involving large investments of capital, labor, skill, and enterprise and thereby tend to reduce employment.
>
> "(d) that unreasonable clearance to a considerable extent affects the value of motion pictures for subsequent-run theatres.
>
> "(e) that unreasonable clearance depreciates the potential return from motion pictures for subsequent-run theatres.
>
> "(f) that unreasonable clearance as to time and area diminishes the potential revenue to the distributor from the subsequent run exhibitor."

Areas Must Be "Clearly Defined"

2. The competitive geographical area included in schedules should be clearly defined both as to first run in cities and suburban districts. In defining geographical areas affecting first runs, clearance should be given not only against theatres in the particular city but also against competitive theatres within a trading area or within a metropolitan district. First run theatres should have clearance over nearby towns and cities which are considered competitive.

3. No prohibition may be placed upon the run which an exhibitor may be able to buy or a distributor may be able to sell to any theatre, and no theatre shall be designated by name as first run, as second run, or as any other run in a city or in a zone area. Schedules including statements to the effect "The Blank Theatre may purchase no clearance" cannot be approved. It is within the jurisdiction of the local board, however, to state that a theatre is not in competition with any other theatre.

4. Geographical areas of competition which shall be designated as zones shall be established by the local board. Such zones shall be established by dividing the territory affected into groups of competitive theatres. Any theatre shall have the right without restriction to buy any run it is able to negotiate for with any distributor, and any distributor shall have the right without restriction, to sell any run he desires.

5. Maximum periods of clearance shall be established between the various runs which may exist. For instance, the board shall define the maxumum clearance between the first run in a city and the second run in a city and also the maximum clearance between the second run, if there be one, and the first runs in any competitive geographical zones. The local board may make provision for the booking of any extraordinary picture which may play first run at substantially increased admission prices, which substantial increase in admission prices shall entitle a theatre to additional clearance unless the next subsequent run also increases its admission prices in the same proportion; and this principle shall apply to all other subsequent runs.

6. In establishing maximum clearance for first run, consideration may be given to the differential between the first run admission prices and the admission prices charged by the second run and/or subsequent runs in the respective competitive cities or zones.

7. Provision may be made for the revision of clearance of subsequent runs where a prior run reduces admission prices, and of clearance of prior runs where a subsequent run reduces its admission prices. Notwithstanding, any theatre which purchases a specified run shall retain such run irrespective of any increase in admission prices of subsequent runs.

When Zones Overlap

8. In the event that two theatres are in separate zones which overlap and are in competition, the maximum period of clearance between such theatres shall be established by the board.

9. The period of clearance shall not be affected by reason of any theatre using a double bill policy or stage shows.

10. The schedule shall provide that in the event of the building or opening of a new theatre or the reopening of a closed theatre the clearance and zoning board shall immediately meet and determine the zone in which such theatre shall be placed. Such theatre shall of course have the opportunity of purchasing such run as it is able and which the distributor may desire to sell.

11. It shall be provided that if any first run theatre permits an earlier exhibition than provided in the schedule by a waiver of clearance or by any other means with respect to any second run theatre, then third, fourth and subsequent run theatres shall also move up and receive a like benefit from the above mentioned earlier exhibition in accordance with the clearance period established between the runs involved. If any second, third or subsequent run theatre permits an earlier exhibition than provided in the schedule with respect to any theatre in the following run, then the same principle as set forth above with respect to the first and second run shall be applicable in accordance with the clearance period established between the runs involved and any runs thereafter.

12. The following resolution was unanimously adopted by the Code Authority on August 23rd, 1934:

> "RESOLVED: That clearance for any theatre established by a clearance and zoning board in any decision affecting a schedule of clearance and zoning for a territory or part thereof, shall supersede any clearance specified in any license agreement between distributors and exhibitors, irrespective of whether such license agreement was executed prior to the decision of the local clearance and zoning board."

Adopts Extras' Clauses

Code Authority has adopted 13 clauses recently passed by the Standing Committee on Extras in Hollywood. The clauses govern employment of extras in studios.

Approval of the NRA legal department in Washington is awaited before the clauses can be put into effect.

Lesser Coming East

Hollywood, Sept. 14.—Sol Lesser leaves Hollywood for New York by plane Tuesday where he will remain 10 days before sailing on the *Ile de France* for England. While in England, Lesser will film "The Cowboy Millionaire," starring George O Brien.

Code Signing Time Limit to Be Ended

(*Continued from page* 1)

Daily exclusively reported the move to reopen code assents indefinitely was under way and that Code Authority's legal committee was working on such an amendment.

The resolution adds that exhibitors who have not signed the code cannot file complaints or protests. It is figured that there are not more than 1,300 theatres in competitive zones which have not signed. The total number of compliances received to date numbers around 8,700.

Fox Widens Control Of Milwaukee Spots

(*Continued from page* 1)

run owned by the Uihlein Realty Corp., the circuit takes almost complete control of the downtown situation with Warners as its only contender.

Fox now operates the Wisconsin and Alhambra and has an agreement with L. K. Brin, manager of the Garden. The Palace, formerly operated by Leo Salkin, now booking the Wisconsin and Alhambra's flesh, has been dark since early in August and is expected to reopen shortly.

Warners still retain their lease on the Strand, 1,400-seat downtown house dark for the past several months, which was slated for opening early in September, but is still dark. The new setup gives Fox control over four of the seven downtown houses.

Justice Inquiry on Coast Stirs Queries

(*Continued from page* 1)

more or less a routine matter of no special importance. Efforts to learn more from department officials in direct charge of the matter, however, elicited a flat refusal to discuss it at all. This led to considerable speculation as to whether they might be planning some action.

Realign Photophone Men

All district sales representatives of RCA Photophone have been designated district sales managers. Sales territories at the same time have been realigned by the company. Bernard Sholtz will operate in northern New Jersey, Staten Island, Connecticut and eastern New York in addition to New York City, while M. S. England has been assigned to central and western New York, J. B. Dumestre to Georgia, Florida, Alabama and part of Tennessee, and C. W. Sawin to the entire New England territory, excepting Connecticut.

Laemmle in from Europe

Carl Laemmle arrived here late yesterday afternoon aboard the *Leviathan* after a three months' visit in Europe. He was accompanied by Joseph Weil, his assistant, and Jack Ross, secretary.

Garrison Expands Line

Garrison Film Distributors, Inc., has decided to take on distribution of sound projectors for 16mm film for use in homes, schools, clubs and churches.

President to Decide Upon NRA Future

(*Continued from page* 1)

ment. I believe this plan to be right," he asserted.

It is understood that Johnson discussed this plan with President Roosevelt at Hyde Park earlier in the week.

"The NRA is too big to be right," he said. "Whatever reorganization is to come will be worked out by the President and no one else. I have too much power invested in me and the sooner I am divested of it the better. Let someone else stop these dead cats."

Johnson referred to a part of a speech made by Mayor LaGuardia earlier in the evening in which the mayor said he believed all industries, large and small, wanted to see the NRA extended.

Mayor Calls for Cooperation

LaGuardia, in a dynamic and unprepared talk, stated that the cooperation of all city officials is necessary in order to make the NRA a success. He stated industries in New York are ready to live up to the codes, but cannot do so unless competitors in other parts of the country do likewise. He hit child labor.

The Mayor, after being applauded loud and long, held that the NRA be extended in January and that the government should not wait until June 16, next, when it expires. He said that if his plan is not accepted there will be a lot of cut-throat competition by those anticipating the end of the NRA.

"It's either the code or chaos. The man who cheats on the NRA will cheat himself at solitaire," he said.

"The trouble with the NRA is not that it goes too far, but that it does not go far enough. In this crisis we must be willing to team along and anything short of that will bring on a crash."

LaGuardia asked Johnson for a uniformity of production costs throughout the country. He also stated that relief costs for New York would be reduced in half if all industries lived up to their codes.

In introducing Johnson, LaGuardia said he would withdraw the keys and turn over the town clock at City Hall. Grover Whalen later reminded the Mayor that the hands had been removed recently.

Matthew Woll, vice-president of the A. F. of L., also spoke. He talked on labor's part in trying to make the NRA a success, holding that labor was not entirely satisfied. Nathan Straus, Jr., stated the NRA is here to stay and its principles are deep-rooted in American life. He said he had no doubt of its permanence and complete success, declaring that the NRA in its essentials is successful. He named four permanent principles of the NRA:

1—Permanent machinery to keep the NRA functioning.

2—Outlawing unfair competition.

3—Elimination of child labor and limitation of hours.

4—Establishment of a fair minimum wage.

Mill Strikes Hit Theatres In Many Spots

(*Continued from page* 1)

other textile centers, not only as a result of curtailed spending by thousands of strikers and their families but also because of a state of public caution in many cities which is reported to be inducing large sections of the affected population to remain indoors after dark.

Loew's and RKO here report little or no drop in attendance in New England theatres. Both have theatres in Providence, R. I., and RKO has theatres in Lowell, Mass., but neither city has been materially affected yet by the strike. Paramount's New England units have been affected to a slight degree, it was reported, and business in a number of the company's North and South Carolina theatres has suffered, but no accurate estimates of the complete business loss was available at the home office yesterday. Warners reported New Jersey theatres unaffected.

On the other hand, scores of independent operators in the strike areas report severe business losses, with complete shutdowns in a number of instances.

Providence, Sept. 14.—All theatres in Woonsocket have been closed because of strike rioting there. Picketing and local disturbances have also cut down attendance at Pawtucket and Central Falls theatres. Providence houses have not felt the effects of the strike to any great extent as yet.

Atlanta, Sept. 14.—The textile strike has materially affected box-offices in dozens of the smaller cities throughout this section and many theatres are either closing or curtailing operation to one and two days a week.

Atlanta exchange managers estimate that in the cities that are almost wholly dependent on textile operations, film business has decreased from 25 to 50 per cent.

Theatres in Trion, Porterdale, La Grange, and Milstead in Georgia; Fort Payne and Huntsville in Alabama; High Point, Fayetteville and Gastonia, North Carolina, are reported to be closed or operating on Saturdays only.

If the strike continues another week or two, it is estimated that at least 50 theatres in textile centers will close for the duration of the strike.

Boston, Sept. 14.—The textile strike has resulted in a drop in attendance of more than 20 per cent at New Bedford theatres and of approximately 30 per cent at Fall River.

Lowell, Lawrence and Worcester report grosses virtually unchanged. Attendance in Boston has not been affected at all. Salem reports an increase of about 20 per cent in grosses since the beginning of the strike.

Charlotte, Sept. 14.—Theatre attendance in the Carolinas has been reduced 50 per cent as a result of the textile strike, reports from widely separated strike centers reveal.

Charlotte is the center of the textile industry in the South and, while the larger theatres in this city have not suffered heavily yet, some in mill communities where the United Textile Workers are strongly organized and mills are closed, have been affected to the extent of having to close their doors. This is true of the Mount Holly mill town, where spindles and looms have been idle since the beginning of the nationwide strike.

Real poverty is being felt in such textile cities as Spartanburg and Greenville, S. C., and theatres there have been harder hit as a result than theatres in North Carolina cities. When the contents of the last pay envelope have been exhausted within the next few days, theatres in the Carolinas are expected to feel the effects of the strike 75 per cent generally, and unless the strike is concluded before then numbers will be forced to close, it is believed.

Memphis, Sept. 14.—Estimates place the number of textile workers out on strike in this territory at 6,000, out of a total of 33,000 workers. Cities primarily affected include Dyersburg and Bemis in Tennessee; Meridian, Kosciusko, Starkville and Tupelo in Mississippi and none in Arkansas. Theatres in the cities named are hard hit by the strike, according to reports received here, but other centers are unaware that a strike is on.

This city is unaffected as most of the mills are outside the Memphis film zone.

MOTION PICTURE DAILY'S HOLLYWOOD PREVIEW

"Happiness Ahead"

(*Warners*)

Hollywood, Sept. 14.—"Happiness Ahead" presents Dick Powell in a new character, carrying the story without continual singing, and also presents Josephine Hutchinson in her first screen work, giving promise of her becoming a popular actress of the Helen Hayes type.

The story, containing an even flow of human interest incidents, plus able Mervyn LeRoy direction, is smart but not too sophisticated, with clever dialogue, action, comedy and drama of the type that should appeal to all classes. Vividly portraying the striking contrast between the upper and moderate modes of social life, it is centered around a society debutante and the office manager of a window-cleaning establishment. The debutante, disgusted with the tinsel life in which she has been reared, seeks more of the real side of life and becomes involved in this search for happiness with the window washer. The sweet, youthful romance is carried on to a happy ending.

The leads are played by Powell and Miss Hutchinson, who are well supported by John Halliday, Frank McHugh, Allen Jenkins, Ruth Donnelly, Dorothy Dare and Marjorie Gateson. Credit Harry Sauber with the creation of a story having the necessary ingredients that spell box-office. LeRoy handles the direction expertly, with the music and lyrics by a sextet of composers; yet LeRoy has kept the story dominant for swell entertainment values.

Code seal No. 185. Running time, 90 minutes.

Cooper Set for Capitol

Jackie Cooper has been signed for a personal appearance at the Capitol starting Sept. 21. On the same bill will be Ed Sullivan, columnist for the *Daily News*. George Jessel may appear on the same bill.

Lima Lyric Has Fire

Lima, O., Sept. 14.—Fire in the projection room of the Lyric did several thousand dollars worth of damage. George Ritzler got the audience out quietly.

Radio Speeding Up With Six Underway

Hollywood, Sept. 14.—The wheels are humming at Radio with six features in production, four in the cutting rooms and five in preparation.

Before the cameras are "The Little Minister," "By Your Leave," "Anne of Green Gables," "Gridiron Flash," "The Silver Streak" and "The Sea Girl." "The Gay Divorcee," "Dangerous Corner," "Kentucky Kernels" and "Wednesday's Child" are the quartette being edited.

Amity Adds Exchanges

Amity Pictures has added two more exchanges, St. Louis and Des Moines, bringing its total to 30, according to John M. Crinnion, executive vice-president.

The new St. Louis exchange, Superior Pictures, Inc., is operated by James Jovaney, who is also manager of the Chicago exchange. Des Moines will be handled by S. H. Stern, head of the Capitol exchange in Omaha.

W. L. Parker, Charlotte manager, has taken over the Atlanta territory formerly handled by M. C. Howard. He will operate both spots.

Banks Asked for Delay

Motion for the adjournment of the Paramount Publix trustees' action against 12 bank creditors at the hearing before Federal Judge Coxe on Thursday was made by Morton G. Bogue, of counsel for the banks, and not by Samuel Isseks, of counsel for the trustees, as reported in Motion Picture Daily yesterday.

Daughter to Mrs. Goetz

Hollywood, Sept. 14.—William Goetz, vice-president of 20th Century, today became the father of a six-pound girl. Mother and child were reported doing well at Cedars of Lebanon Hospital.

Variety Club Chatter

Cincinnati

Cincinnati, Sept. 14. — Weekly meetings were resumed tonight.

Barkers are extending sympathies to Charles Weigel, whose sister passed away recently.

J. Real Neth, barker of Tent No. 2, accompanied by the better half, spent the week-end with Paul Krieger and his family here.

Ike Libson, canvassman, has returned from a trip east in which he combined business and pleasure.

Martin Solomon of the Indianapolis tent gave the local quarters the O.O. last week.

Cleveland

Cleveland, Sept. 14.—Variety Club resumes its Monday luncheon schedule at the Statler on Sept. 17. Micke Speciale, orchestra leader, and Jack Shulman, Painesville exhibitor, will be kings.

The clam bake arranged by a committee headed by Nat Lefton was held today at the Bratenahl Country Club.

The first annual ball is scheduled for Nov. 3, at the Statler.

Blank-Publix Sign Deal on 26 Houses

(*Continued from page* 1)

Tri-States gets a 10-year Paramount picture franchise and $800,000 worth of debentures will be issued to cover financing costs. Austin Keough, Paramount general counsel, will act as trustee for the debentures. Paramount retains the right to repurchase Blank's interest.

Samuel Spring acted as counsel for Blank and the office of Root, Clark, Buckner & Ballantine represented Paramount. The contract became effective with the signing.

DuWorld to Greiver

DuWorld Pictures has closed with Greiver Prod. for the Illinois and Indiana distribution rights to "Sword of the Arab," "Frankie and Johnnie," "Yokel Dog Makes Good," "The Chump," "Miro Ungo" and "Stars in the Making," all shorts. Arche Mayers, sales manager, handled the deal for DuWorld.

Von Sternberg in ASC

Hollywood, Sept. 14.—Josef von Sternberg was admitted to the American Society of Cinematographers today.

Postpone 'Merry Widow'

M-G-M has postponed opening of "The Merry Widow" until sometime in October. It was slated to open this month.

Sennett Hurt in London

London, Sept. 14.—Mack Sennett was hurt today when a cab in which he was riding crashed into another car. He was treated at his home.

Wood to Coast Tomorrow

Sam Wood, M-G-M director, leaves for the coast tomorrow. He has just returned from a vacation abroad.

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"U" Sales Are Up by 2,000, Says Laemmle

Contracts Away Ahead Of 1933, He Asserts

Universal's domestic sales for the new season currently are running 2,000 contracts ahead of 1933 sales at the corresponding date, Carl Laemmle reported Saturday in an interview during which he cited general business gains both here and abroad.

Universal's foreign production program for this year will include 12 pictures to be made in England by Hagen Films, six of which have been completed, and an additional number to be produced in Budapest and Vienna, Laemmle said. These are designed for foreign distribution and will not be added to the company's American release schedule unless they

(Continued on page 2)

Production Shows Drop for the Week

Hollywood, Sept. 16.—Production for the week ending Sept. 15 registered a decline of five features under the preceding week. Shorts showed no change with 10 in work.

The number of features and shorts in final stages of preparation and in the editing rooms hover around the total reported the previous week.

Fox has the largest number of features actually before the cameras with

(Continued on page 2)

Nolan, Well Again, Coming to New York

Hollywood, Sept. 16.—John Nolan plans to leave for New York Oct. 15. After conference with Fox home office sales executives he will sail for Australia where he will have charge of the company's activities.

Nolan has been gaining rapidly from a recent illness and his condition now warrants taking over his new duties.

Campi August Costs Down to $23,173.22

Campi reports total disbursements for August of $23,173.22, which was $1,793.28 under the budget of $24,966.50 for the month. Of August expenditures $7,606.07 went for the upkeep of the Campi home office, $2,014.56 for the Hollywood office and $13,552.59 for the code boards.

Dickinson to File Appeals As Non-Signer

Will Present a Brief to Campi Asking Relief

Kansas City, Sept. 16.—Invoking the declaration of the code that it is not designed to promote monopoly or oppress small enterprises, attorneys for Dickinson theatres have announced they are preparing a brief for presentation to Code Authority asking relief for the circuit. At the same time, the attorneys said, they would appeal three decisions of the local grievance board adverse to Dickinson theatres.

Dickinson's counsel contends it is unfair for competitive exhibitors to file code violation complaints against Dickinson when the complainants themselves are guilty of the same practices. The distinction is that while the complaining exhibitors have assented to the code, Dickinson theatres have not

(Continued on page 3)

Coast Gain Starts Expansion by FWC

Hollywood, Sept. 16.—The gradual increase in theatre attendance, which Charles Skouras Thursday declared had reached 27 per cent over the past six weeks for all the West Coast houses in this sector, has spurred his company to negotiate for the acquisition of six local neighborhood theatres.

These will include the Stadium, Apollo, Paramount, Carmel, El Portal and Beverly Hills.

The deal calls for acquisition of the houses on the first of next month.

Hamrick No Magnate

Portland, Sept. 16.—John Hamrick, independent theatre operator, declares that in spite of the fact that he now operates 12 houses in Pacific Northwest cities he is not a "magnate." Neither is he or any of his managers ever in "conference." These two words, Hamrick declares, have been eliminated from his vocabulary, and he hopes that they will also be stricken from all future news items pertaining to his operations.

Strike Growth An Increasing Theatre Worry

Effects of the widespread textile strike on theatre attendance are increasing in gravity with each day that the strike is prolonged, according to reports from strike centers.

Attendance in many sections of the Carolinas, Georgia, Alabama, Rhode Island and Massachusetts has decreased from 10 to 50 per cent already and in some instances theatres have been forced to close in textile centers in those states. Continuance

(Continued on page 3)

Blackman Named to Head Warner Clubs

Max B. Blackman was elected president of the national Warner Club on Saturday, succeeding Al Schwalberg. About 60 delegates from 40 clubs attended the election. The delegates

(Continued on page 3)

Films Need Exploitation Ideas, Insists Sam Wood

Injection of at least one good exploitation idea in every picture is advocated by Sam Wood, M-G-M director, who states that it is the greatest word-of-mouth builder among patrons. He believes that writers, directors and producers should bear this thought in mind while pictures are in the making. He says this makes a big difference at the box-office.

As an example, Wood points to an incident in "It Happened One Night" in which one of the characters uses a thumb movement to get a lift in an automobile, which he says is the craze today.

Wood also believes all advertisements on pictures should have a catch line and more concentration should be given to this in advertising. Glancing over recent daily newspaper ads, he notices the absence of such lines, which he believes is a mistake. He

(Continued on page 2)

Pathe Return To Producing Held Possible

Agreement in RKO Sale Expires in 1936

Pathe Exchange officials stated Saturday that the company eventually may resume production, but there is little likelihood of doing so before 1936.

The agreement made at the time of the sale of Pathe assets to RKO, which provided that Pathe should not engage in production for a period of five years, does not expire until Jan. 29, 1936. Despite the fact that RKO has since defaulted on $1,696,000 of notes given Pathe in the acquisition of the latter's assets, and that some viewpoints hold this default voids Pathe's agreement not to engage in production, there is little inclination inside Pathe to test the validity of that viewpoint, it was said. Indications are, therefore, that Pathe will take no steps to resume production

(Continued on page 2)

Loew to Get First Choice on Product

Loew's will have first choice of Universal and Columbia product before RKO dates half of the new releases of both companies. This is provided for in negotiations between Loew's and RKO, whereby the former will transfer all of Fox and 50 per cent of Universal and Columbia films in Greater New York.

Before RKO can get any of the pictures it must first dispose of 11

(Continued on page 2)

Seven Features, 9 Shorts Get Seals

Hollywood, Sept. 16.—Seven features and nine shorts received certificates of approval from the Production Code Administration during the week ending Sept. 13.

Warners and M-G-M head the list, the former having two features and the latter four shorts. Paramount,

(Continued on page 3)

Para. Dickers for Radio Hour Tieup

Hollywood, Sept. 16.—Although opposed to permitting any of their contract players to appear for a radio

(Continued on page 3)

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Production Shows Drop for the Week

(*Continued from page* 1)

a total of seven in work, two preparing and three cutting; Warners follow a close second, with six, one and nine; Paramount and Radio have the same number, five, two and four; Universal reports three, two and two; M-G-M three, four and ten; Columbia, two, two and two; Roach, one, zero and zero; Goldwyn, zero, zero and two; while the independent group registers a total of five, three and seven.

In the short subject division M-G-M has one before the camera, three preparing and four editing; Roach has one, one and one; Columbia, zero, one and three; Radio, zero, two and eight, while the independents have eight, two and four.

Notables to See "Young"

An array of orchestra leaders and radio personalities will be at the evening performance of Mascot's "Young and Beautiful" at the Criterion today in tribute to Ted Fio-Rito, who is featured with his orchestra in the production. The film opens this morning.

Kreuzer Is Consultant

Barton Kreuzer of Photophone has been made technical consultant to RCA Victor "High Fidelity" recording licensees.

Pathe Return To Producing Held Possible

(*Continued from page* 1)

prior to the expiration of the agreement.

Meanwhile, the company will concentrate primarily on its laboratory activities. These involve financing of production in some instances for companies whose laboratory work is done by Pathe.

Pathe's plan of financial reorganization is now undergoing several minor changes as a result of the lack of a quorum to act on the plan at the special meeting of stockholders on Sept. 11. An application for permission to hold an extraordinary meeting of stockholders, at which two-thirds of the holders are represented, may approve or reject the plan, is being made to the N. Y. Supreme Court here by Coudert Bros., Pathe counsel. The court allows 10 days in which stockholders may file objections to the plan and, if the extraordinary meeting is then authorized, 90 days' notice is given to the holders. There is little possibility, therefore, of the plan being submitted again before the end of December.

The proposed changes in the plan are scheduled to be acted upon by the Pathe board at its next regular meeting.

Erwin Likes His Roles

Although some comedians prefer to vary types of roles, Stuart Erwin wants to stick to comedy parts, he says, similar to the one he portrayed in "Viva Villa." He is now rounding out the second year of a five-year contract with M-G-M and this week is appearing in person at Loew's State here.

Erwin plans to return to the coast in about a week. He may be booked for another stage appearance on Loew time.

Films Need Exploitation Ideas, Insists Sam Wood

(*Continued from page* 1)

says one catch line will get the men and women talking and this will draw them to the box-office.

The M-G-M director left for the coast yesterday after a brief vacation abroad. He says American films are the rave in foreign theatres, many of which are jammed so that it is difficult at times to get seats when American films are showing. He adds the European market means a good deal to American producers.

Wood states European audiences like broad comedy and rough stuff, adding that whenever an American film is showing abroad, it creates a lot of excitement.

As for himself, Wood likes to vary the type of stories he directs. He says it's not good business to stick to one particular brand of material; it's variety that counts. He also approves of a director taking vacations between pictures. He said this is his first trip to New York in eight years. Writers and producers also should take time off between pictures, he avers.

Portland Has a Pickup

PORTLAND, Sept. 16.—Business is picking up here with "Dames" just finishing a third week at the Music Box and being billed for a fourth. Hamrick's Blue Mouse has signed to take the Liberty Pictures product in the future. Monogram's "Girl of the Limberlost" did a capacity business at its premiere at the Broadway.

Sussman Off to Denver

William Sussman, assistant to John D. Clark, general sales manager of Fox, is enroute to Denver where he will join Herman Wobber, who is making a tour of exchanges in connection with the S. R. Kent sales drive. Both Wobber and Sussman will return to New York within the next week or 10 days.

Advance "Night of Love"

PITTSBURGH, Sept. 16.—"One Night of Love," scheduled for the Stanley the middle of next month, has been moved up three weeks in order to meet rival competition. It opens Friday, Sept. 21, the same day the opposition Penn gets Ben Bernie's band and "Death on the Diamond."

Loew's Up 1⅛ on Big Board

	High	Low	Close	Net Change	Sales
Columbia Pictures, vtc	30	30	30	.....	500
Eastman Kodak	96¼	95¼	95¼	+ ¼	400
Fox Film "A"	10	10	10	— ½	200
Loew's, Inc.	26½	25½	26½	+1⅛	1,300
Paramount Publix, cts	3¾	3⅜	3¾	+ ¼	3,200
Pathe Exchange	1⅛	1	1⅛	+ ⅛	900
Pathe Exchange "A"	11½	11	11	— ⅞	300
RKO	2	2	2	.....	500
Warner Bros.	4	4	4	+ ⅛	400

Technicolor Off ¼ on Curb

	High	Low	Close	Net Change	Sales
Technicolor	11¾	11½	11¾	— ¼	700

Paramount F. L. Bonds Up 2½

	High	Low	Close	Net Change	Sales
General Theatre Equipment 6s '40	5½	5⅛	5½	— ⅜	6
Paramount Broadway 5½s '51	37	35½	37	+1¾	2
Paramount F. L. 6s '47	51	48	51	+2½	12
Paramount Publix 5½s, '50	51	48	50	+2	55
Pathe 7s '37 ww	98	98	98	— ½	2
Warner Bros. 6s '39, wd	51	50½	51	.....	87

"U" Sales Are Up by 2,000, Says Laemmle

(*Continued from page* 1)

prove to be adapted to this market on completion.

Universal's foreign business has improved "tremendously" over last year, even at this date, Laemmle said. He attributed the betterment not only to improving business conditions abroad and product being offered currently, but to favorable foreign exchange rates, as well.

Laemmle related that while Universal has disposed of its German office to Rota-Film, Universal's quota pictures will continue to have distribution in Germany through that company. He reported that import restrictions in Czechoslovakia have become so severe that all distribution of American films in that country has been discontinued.

He stated that he had under consideration the re-making of a number of Universal's silent picture successes, mentioning "Ivanhoe," "Merry-Go-Round" and "The Hunchback of Notre Dame." A decision on these will be made after consultations with Carl Laemmle, Jr. He said Universal does not regard color films favorably and believes costume plays to be "doubtful propositions." The Universal sales department turned "thumbs down" on "Mary and Elizabeth," and the picture will not be produced for that reason, he said.

Laemmle initiated several talent deals during his three months' sojourn abroad, but declined to discuss them for publication at this time. He is also negotiating for three or four British features which have been successful abroad and acquired the Austrian production, "The Spring Parade," an English version of which is to be made in London.

Laemmle will remain in New York about two weeks before going on to the coast.

Loew to Get First Choice on Product

(*Continued from page* 1)

theatres recently acquired in the local area. Some of the houses are going to Skouras and others to Randforce, but disposition of the Apollo and Hollywood on the lower east side has not yet been decided. Loew's does not want any of the houses.

Meyer & Schneider, who leased the houses to RKO for one year, are holding out for better settlement terms. According to present indications, the entire situation is expected to be settled either today or not later than Wednesday.

Yearsley in West Va.

PITTSBURGH, Sept. 16.—C. L. Yearsley, until a couple of years ago advertising director for World-Wide Pictures, before that with First National in a similar capacity and previously exploitation head for a circuit in Sydney, Australia, has just been named manager of the Smoot in Parkersburg, W. Va., by Harry Kalmine, zone manager for Warners.

Yearsley succeeds Charlie Katz, who has resigned.

Dickinson to File Appeals As Non-Signer

(Continued from page 1)

assented, and therefore have no recourse before the local grievance board.

It is contended that Section 2 of Article 3 of the code's general provisions covers the situation. This clause reads: "This code is not designed to promote monopolies or to eliminate or oppress small enterprises and shall not be applied to discriminate against them nor to permit monopolies or monopolistic practices."

At a grievance board hearing, Dickinson's attorneys admitted a code violation by the Uptown, Parsons, Kan., but said they have sufficient grounds for appeal. The charge was that A. G. Smith, Uptown manager, ignored the board's order to end price reductions below contract stipulations. The board found Smith guilty and instructed distributors to stop service Sept. 27 unless he files a certificate of compliance by that date.

Smith showed authorization from two distributors to continue the practice, but representatives of the companies informed the board they were unaware of the cease and desist order at the time they issued it. The board considered Smith's action a subterfuge and its position was supported by a ruling from Code Authority which held distributors have no right to alter the minimum admission specified in contracts after a cease and desist order had been issued against the offending exhibitor. The complainant was C. B. McAleer, Orpheum, Parsons.

Appeal Hearing Today

Another protest hearing on appeal from clearance and zoning schedules will be held at Campi headquarters this afternoon.

Industry leaders hold that the 12 principles recently adopted for drafting schedules is a forward step in the code. George J Schaefer, chairman of the committee which drew up the rules, is being praised by code members for his work.

English Plans Deferred

London, Sept. 16.—No final action on M-G-M's plans to produce here will be taken by Louis B. Mayer prior to his return to America, it was learned yesterday. Meyer indicated that final plans await further conferences with Nicholas M. Schenck, president, and Irving Thalberg.

Dietz Ampa Chairman

Howard Dietz will be guest chairman of the next Ampa meeting slated for Thursday at the M. P. Club. Headliners will be Hal Roach and Pete Smith with a possibility of Stuart Erwin and June Collyer.

Hal Horne will be chairman at the Sept. 27 session.

Col. in 2 Coast Deals

Columbia has closed booking deals for the showing of its new season product at the Paramount and Warners' Downtown theatres, Los Angeles. Fifteen films will go into the former and 25 into the latter.

Seven Features, 9 Shorts Get Seals

(Continued from page 1)

Radio, United Artists, Mascot and Peerless come under the line with one feature each. Universal received an okay on two serial episodes, Columbia two shorts and Principal one short.

The list follows:

Warners

(*Features*)

"The Firebird" and "I Sell Anything."

M-G-M

(*Shorts*)

"Switzerland, the Beautiful," "Goofy Movies No. 9," "Its The Cat" and "Ballad of Paducah Jail."

Columbia

(*Shorts*)

"Men in Black" and "Screen Snapshots No. 14."

Universal

(*Serial Episodes*)

"Death Flies the Mail" and "The Mail Goes Through."

Paramount

(*Features*)

"The Lemon Drop Kid."

United Artists

(*Features*)

"We Live Again."

Radio

(*Features*)

"Dangerous Corner."

Mascot

(*Features*)

"Crimson Romance."

Peerless

(*Features*)

"House of Danger."

Principal

(*Shorts*)

"Hollywood Parade No. 2."

Blackman Named to Head Warner Clubs

(Continued from page 1)

were feted at the Casino de Paree on Saturday night before returning home.

Jules Levey, Ruth Weisberg and Steve Trilling were named vice-presidents, the first handling membership; Miss Weisberg in charge of welfare and Trilling handling entertainment.

I. T. Martin was elected treasurer, Sam S. Aldrich, secretary; Sam Schneider, chairman of the finance committee.

Forty governors named were: Schwalberg, Levey, Miss Weisberg, Trilling, Schneider, Blackman, W. S. McDonald, Louis S. Aldrich, T. J. Martin, Frank L. Gates, Garold Rodner, J. H. Barry, W. V. Brooks, Lee Frankel, Ruth Goldberg, Syd Goldberg, Ruth Hagen, J. T. Holmes, Dorothy Karpel, Leo Rosen, Ben Cohen, Lew Wasserman, Nat Furst, L. B. Graver, C. J. Latta, J. A. Flaherty, T. Shaw, Nat Glasser, E. B. Barrison, M. Peterson, Sally Subin, A. McBeath, N. Smith, E. Hill, Z. Epstein, Milton Cohen, H. Fletcher, Leo Gelb, George O'Keefe.

Executive committee consists of McDonald, Gates, Rodner, Schwalberg, McBeath, O'Keefe, Barrison, Syd Goldberg, M. Peterson, Ruth Goldberg, Brooks, Holmes, Sabin and Schneider.

Strike Growth An Increasing Theatre Worry

(Continued from page 1)

of the strike for another week would aggravate the losses proportionately and, if it is prolonged 10 days to two weeks more, its effects would be felt in 75 per cent of the theatre situations of the Carolinas and Georgia, it is estimated in reports from those states. A total of 200 theatre closings, in addition, might be expected as a result of continuation of the strike for that length of time.

Loss of attendance is attributed not only to the dropping from textile payrolls of more than 400,000 strikers, but to general public apprehension over strike disturbances which is keeping thousands indoors after dark.

Sections where theatre closings have been reported already as a result of the strike include Trion, Porterdale, La Grange and Milstead, Georgia; Fort Payne and Huntsville, Alabama; High Point, Fayetteville, Gastonia and Mount Holly, North Carolina; Spartansburg and Greenville, South Carolina, and Woonsocket, Rhode Island. In addition, numbers of theatres in these states have been reduced to one or two-day weekly schedules, while those maintaining regular policies have suffered attendance losses up to 50 per cent, according to the reports.

Effects of the strike are not serious in populous centers of many states, particularly those with industries other than the textile trade to offer employment.

Para. Dickers for Radio Hour Tieup

(Continued from page 1)

broadcast wherever it does not directly exploit their pictures, Paramount is now negotiating with several commercial sponsors to subsidize a weekly broadcast. The talent will be all from Paramount and the company's current releases will be plugged.

Borden's Farm Products, Co., Inc., was the first to open negotiations to take over this program, but it is understood the two firms could reach no satisfactory agreement. However, the studio claims that negotiations are under way with three other sponsors for the commercial programs.

The proposed program will be known as "Paramount Week" and will be similar to the program now being conducted by Radio and known as "Hollywood on the Air."

Sendoff for Phillipson

A farewell dinner will be given for Percy Phillipson, head of the General Register Co., at the M. P. Club Saturday evening. He sails for England Sept. 26.

Dressler Estate $280,847

Los Angeles, Sept. 16.—Marie Dressler left an estate of $280,847, according to an appraisal filed in Superior Court here. Of this $101,092 represents cash.

Mrs. Rosenblatt Recovers

Mrs. Sol A. Rosenblatt, who has been ill for the past few days, has recovered. Rosenblatt was in town over the week-end.

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GIRL FROM MISSOURI

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Photographed by GEORGE FOLSEY

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VOL. 36. NO. 66 NEW YORK, TUESDAY, SEPTEMBER 18, 1934 TEN CENTS

Old Directors Seek Quashing Of Para. Suit

Also Want Costs Paid in $13,800,000 Bond Case

Dismissal of the complaint filed against members of the 1930-32 board of directors of Paramount by Charles D. Hilles, Eugene W. Leake and Charles E. Richardson, trustees of Paramount, is asked by the defendants together with costs of the action in their answer filed in the N. Y. Supreme Court here.

The Paramount trustees are seeking to recover up to $13,800,000 alleged to have been authorized by the trustees for repurchase of Paramount stock at guaranteed redemption prices in the acquisition of theatres from 1929 to 1932.

In the answer filed by Cravath, de Gersdorff, Swaine & Wood and Sam-

(*Continued on page* 8)

Lieber Sues Para. For $460,000 Rent

A future rent claim of $460,000 was filed against Paramount Publix by Samuel Spring, attorney for Robert Lieber of Indianapolis, and is believed to be the largest single rent claim filed against the company in its reorganization proceedings under Section 77-B of the new bankruptcy laws.

Lieber's claim alleges that Paramount Publix was guarantor on leases

(*Continued on page* 8)

Columbus Faces New City Theatre Taxes

COLUMBUS, Sept. 17.—Exhibitors, already assessed a 10 per cent state admission tax, now are confronted with the possibility of the imposition of a city tax, due to a financial crisis here. The municipal treasury needs approximately $830,000 to function until Jan. 1.

MOTION PICTURE DAILY has it on good authority that a theatre tax,

(*Continued on page* 7)

Reciprocal Treaty With Spain Coming

WASHINGTON, Sept. 17.—Intention of the government to negotiate a reciprocal trade agreement with Spain was announced tonight by the State Department.

Although the value of our exports to Spain declined from $82,000,000 in

(*Continued on page* 7)

Expect New Para. Plan To Be Ready in 3 Weeks

Prospects of completing a reorganization plan for Paramount Publix within the next three weeks increased yesterday with the accompanying possibility of a rehabilitated Paramount within a few additional weeks after the submission of a plan.

Indications yesterday were that a settlement of the Paramount trustees' action against 12 creditor banks to set aside the $13,200,000 Film Productions transaction of 1932, would be formally closed within the next few days. The suit, attacking an alleged preferential position of the banks, is regarded as the final obstacle in the way of completion of a Paramount reorganization plan.

Adolph Zukor, Paramount presi-

(*Continued on page* 8)

B. & K. Picks Five for 25c Minimum Rate

CHICAGO, Sept. 17.—B. & K. has tentatively set five pictures from three different companies for which minimum admissions of 25 cents will be charged.

According to present indications, the circuit plans to have at least three pictures from every major distributor on this basis. Present admissions are 20 cents and the increase of five cents follows an agreement reached recently between the circuit and Al Lichtman.

Pictures tentatively set are "Cardinal Richelieu" with George Arliss;

(*Continued on page* 7)

Campi Moves to End Chicago Buying Jam

Initial moves to end the buying stalemate in Chicago got under way yesterday when a Campi committee, consisting of R. H. Cochrane, chairman; Cresson L. Smith and Julius

(*Continued on page* 7)

ASCAP Action Depends Upon Federal Speed

Unless the government secures a restraining order against ASCAP's proposed music tax increases within the next few days, the exhibitor emergency committee will file suit, Ed Kuykendall, president of the M. P. T. O. A., stated yesterday.

"Exhibitors are going ahead with the original plan to sue," Kuykendall stated. "If ASCAP can get away with this new increase there is no limit to what they will do next year," the M. P. T. O. A. head asserted.

"This is not a fight between the M.

(*Continued on page* 7)

Sign Writers Seek 10 Per Cent Raise

New York Sign Writers' Union, Local 230, has presented a demand for a 10 per cent increase in wage schedules to contractors for theatre sign work, and negotiations on the demand

(*Continued on page* 7)

Ludington, Fiske Secure Stock of First Division

Nicholas S. Ludington, well known aviation enthusiast, and William M. L. Fiske, 3rd, member of a banking family, have bought all the outstanding stock of First Division except that owned by Harry H. Thomas, president.

An expansion program is planned. At present the company covers about 60 per cent of the United States. Exchanges are to be opened immediately in the south and southwest, according to the company's announcement, and the expansion is to be carried into foreign fields.

Fiske has lived for long periods in Paris and has traveled extensively. He also has done some producing. Ludington has had no previous connection with the industry.

Thomas will remain as president of the company. J. A. Curtis negotiated the deal. Under the reorganization plans he will be a stockholder.

Dates Set for Protests Upon 8 Clearances

Campi Also to Hear Four Individual Protests

Campi yesterday set dates for general protest hearings on eight clearance and zoning schedules. In addition, four dates were set for individual objections against schedules.

The eight general hearing dates and territories involved are as follows:

Los Angeles, Oct. 3; Cincinnati, Columbus and Dayton, Oct. 4; Buffalo, Oct. 9; Indianapolis, Oct. 10; San Francisco and San Jose, Oct. 17; Detroit and Grand Rapids, Oct. 18; Portland, Seattle and Salt Lake City, Oct. 23; Denver, Oct. 24.

Individual protest sessions are set for Sept. 21, 24, 25 and Oct. 2. All hearings will be held at Campi headquarters in New York.

Since May 11, Campi has disposed of 140 clearance and zoning and grievance cases. There are remaining 32

(*Continued on page* 7)

RKO Units Get Tax Refund, $315,466

WASHINGTON, Sept. 17.—Income taxes aggregating $315,466 have been refunded to RKO and subsidiary organizations, it was stated today at the Bureau of Internal Revenue. The larger part of it is as a result of decisions of the U. S. Board of Tax Appeals.

The action of the bureau returns to RKO and the B. F. Keith Corp. $244,158, while the Orpheum Circuit, Inc., receives $36,816.

Fan Magazine Group Talks to Hays Again

Representatives of fan magazines held a second meeting yesterday with Will H. Hays, J. J. McCarthy and Anthony Muto on a discussion of cooperative policies in the presentation of editorial and photographic material in the fan publications. Additional meetings will be held from time to time, it was stated at the close of yesterday's session.

Kandel to Take 100 From English Studio

M. J. Kandel, president of Olympic Pictures, has completed a deal whereby he will take over for distribution

(*Continued on page* 7)

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Lesser Here Thursday

Hollywood, Sept. 17.—Sol Lesser, accompanied by Mrs. Lesser, is scheduled to leave for New York by plane Wednesday. He sails for Europe shortly to arrange for the European distribution of his "Peck's Bad Boy" and George O'Brien series. While abroad Lesser will also film background material for O'Brien's next film, "The Cowboy Millionaire," which was originally scheduled to be made in London.

Dembow Switches Soon

Sam Dembow, Jr., leaves Paramount early next week to take over his new post of general manager of National Screen Service. Jack Bannon, secretary to Dembow for several years, has also resigned from Paramount and will join National Screen at the same time as a general assistant to Dembow.

LaGuardia at Benefit

Mayor Fiorello H. LaGuardia will be a guest of honor at the benefit production, "Night of Stars," which will be held at the Yankee Stadium Thursday night by the amusement division of the United Jewish Appeal to raise funds for German-Jewish relief.

Yom Kippur Tomorrow

Sundown tonight ushers in Yom Kippur, day of atonement for the Jewish race. The holiday ends tomorrow at sundown and is characterized by fasting.

Good Asia Outlook Seen by Liebeskind

"The prospects for American pictures are excellent and always will be excellent in the Far East because we alone turn out films with a universal appeal," Nat Liebeskind, Warner-First National representative, who returned to this country Friday after three years in that part of the world, said yesterday.

The natives, he asserted, prefer Hollywood pictures to the product of their own studios. What attracts them in American films is their lavishness and their appeal to eye and ear, he remarked, adding this explains why in the Far East musicals and comedies are liked better than all other types of Hollywood films.

Liebeskind said it makes little difference to the people whether or not they understand what the characters may be saying, a fact which explains why, with the exception of Java, superimposed titles are not carried by pictures.

Liebeskind announced that Jules Nayfack had been placed in charge of the Singapore office, while J. Lambert had been made head of the Batavia (Java) branch. Both of these branches were opened by him during his stay in the Far East. He is now awaiting a new assignment.

Academy Groups to Meet

Hollywood, Sept. 17.—Technical subcommittees of the Academy will meet this week, according to the schedule of Gordon S. Mitchell, manager of the Academy Research Council. The committees meeting are as follows: Subcommittee on improvement in release print quality; screen illumination subcommittee; sound dubbing supervisors; technicians' branch papers and programs committee, and the silent camera committee.

Bernie at Club Lunch

Cleveland, Sept. 17.—Ben Bernie, added attraction on the Loew State bill this week, was guest of honor at the first Variety Club luncheon of the season today.

Ship Radioman at Rialto

George West Rogers, chief radioman of the *Morro Castle*, will make a series of personal appearances at the Rialto, beginning today.

Philadelphia Indies Criticize Checkers

Philadelphia, Sept. 17.—Complaints against the Ross-Federal checking service featured the first fall meeting of the Independent Exhibitors' Protective Ass'n.

Several members claimed checkers were giving out information not connected with receipts and that it was reaching distributors. J. A. Kraker, local manager for the checking service, strongly defended the work of his organization and insisted that any man found giving out unauthorized information would be dismissed.

C. J. Keeney, Park Theatre, Reading, was added to the board of directors. It was decided to hold two meetings monthly on alternate weeks.

Resolutions of condolence for Maurice Kann, editor of the Motion Picture Daily, were adopted.

Hall Takes Para. Film

Paramount's "The Pursuit of Happiness" will go into the Music Hall Oct. 25. It will be the first Paramount booking in the big Radio City house. Under the booking arrangement now in effect at the Paramount which calls for running big pictures as long as they will stand up product is accumulating.

Takes Pottstown House

Philadelphia, Sept. 17.—The Hippodrome, at Pottstown, has been taken over on a long term lease by William Goldman Theatres, Inc., for opening after alterations. William Goldman, head of the leasing company, was formerly general manager of Warner theatres here.

Working on Location

Sterlington, N. Y., Sept. 17.—Ben Hecht and Charles MacArthur are filming their second for Paramount release in the hills surrounding Suffern and Tuxedo. It is called "Laugh Little Clown." Interiors are to be made at the Eastern Service Studios.

To Show Russian Picture

Peter A. Bogdanov, Soviet consul general will hold a special showing of the Amtorg picture, "Chelyuskin," at the Consulate General, 7 East 61st St., next Thursday evening.

Eastman Off 2¼ on Big Board

	High	Low	Close	Net Change	Sales
Columbia Pictures, vtc	31	30¼	30¾	+1	500
Consolidated Film Industries	2⅝	2⅝	2⅝	— ¼	100
Eastman Kodak	93	92⅝	93	—2¼	700
Fox Film "A"	10½	10⅛	10⅛	+ ⅛	200
Loew's, Inc.	26⅜	25	25⅞	— ⅝	3,000
Loew's, Inc., pfd	90	90	90	— ½	400
M-G-M, pfd.	25½	25½	25½	— ½	100
Paramount Publix	4	3½	3⅞	+ ⅛	9,300
Pathe Exchange	1⅛	1	1⅛	.....	800
Pathe Exchange "A"	11¼	10½	10½	— ½	700
RKO	2⅛	2	2	.....	800
Warner Bros.	4	3⅞	4	.....	2,200

Curb Issues Show Gains

	High	Low	Close	Net Change	Sales
Technicolor	12	11¾	12	+ ¼	300
Trans Lux	1¾	1⅝	1⅜	+ ⅛	200

Paramount Publix Bonds Up 3

	High	Low	Close	Net Change	Sales
Keith B. F. 6s '46	53½	53⅜	53½	+1½	4
Loew's 6s '41, ww deb rights	101	101	101	.....	1
Paramount Broadway 5½s '51	38⅜	37	38⅜	±1⅜	13
Paramount F. L. 6s '47	53	51½	53	+2	32
Paramount Publix 5½s '50	53¼	51½	53	+3	26
Pathe 7's '37, ww	97¼	97	97	—1	5
Warner Bros. 6s '39, wd	51½	51	51	.....	6

◀ Purely Personal ▶

Jack Miller, in from Chicago, caught the Ross-McLarnin scrap last night in the company of M. E. Comerford, Frank Walker and Ed Kuykendall. Miller returns to Chicago today and Kuykendall leaves for the South.

Ethel Merman, recently returned from the coast where she worked in "Kid Millions," will be interviewed over the air by Bide Dudley this morning.

Jackie Cooper, accompanied by his mother, arrives from the coast tomorrow. He is scheduled to make a personal appearance at the Capitol next week.

Conchita Estraviz, chosen "Miss Cuba" in a recent beauty contest, arrived in town yesterday from Havana aboard the *California* for a Warner screen test.

E. W. Hammons, Educational president, returned to his office yesterday from a two weeks' vacation cruise on the *Transylvania.*

Ray Noble, English songwriter, arrives tomorrow on the *Majestic.* He recently did the songs for "Brewster's Millions."

Jack Steinman is recuperating from a recent illness in New Hampshire. He's expected back in 10 days.

A. C. Blumenthal is back from the coast. He arrived on the same plane with Erich von Stroheim.

Howard S. Cullman has left for Blue Mountain Lake, where he will remain for a brief vacation.

Iris Adrian, stage player, has been signed by Paramount. She will leave for the coast in November.

Sig Wittman of Universal returned yesterday from a trip to Chicago.

Karl Brenkert of the Brenkert Optical Co. of Detroit is in town.

Larry Darmour plans to leave for the coast the end of the week.

Bob Gillham is due back from the coast tomorrow.

To Bring Col. East If Sinclair Wins—Cohn

Hollywood, Sept. 17. — Harry Cohn today declared that if Upton Sinclair is elected governor of California he will move the Columbia studios east. Paramount, United Artists and Universal were also reported having a similar intention, but all, save Columbia, denied contemplating such a step in the event Sinclair won.

Wood Back Tomorrow

Hollywood, Sept. 17.—Sam Wood, M-G-M director, arrives here Wednesday and will go into conference with Eddie Mannix on a new contract and story material. While abroad Wood penned two originals which he will talk over with Mannix.

Wood may go to Europe later on and make a picture for B. I. P. While abroad he discussed a story with officials of this company, but the director said he did not want to make a picture in England at this time.

To:—

JOS. BERNHARD
N. L. NATHANSON
CLAYTON BOND
W. G. VAN SCHMUS
E. A. ALPERSON
JOHN O'CONNOR
M. A. SHEA
ARTHUR LUCAS
F. J. SPARKS
E. M. LOEW
PHIL SMITH
ED FAY
NAT YAMINS
CHARLES HAYMAN
H. F. KINCEY
IKE LIBSON
M. A. LIGHTMAN
E. V. RICHARDS
DAVID LOEW
M. B. COMERFORD
FRANK H. DURKEE
J. H. HARRIS
J. J. FITZGIBBONS
HARRY ARTHUR
SPYROS SKOURAS
JOHN BALABAN
MEYER SCHINE
MAX HOFFMAN
JAMES N. COSTON
HAROLD ROBB
TOM CLEMMONS
SOL GORDON
BOB O'DONNELL
HARRY E. HUFFMAN
R. E. GRIFFITH
A. H. BLANK
ED BEATTY
RAY MOON
FRED DOLLE
GLEN W. DICKINSON
ED DUBINSKY
ELMER RHODEN
LOU METZGER
H. J. FITZGERALD
JOHN FRIEDL
SAM RINZLER
S. D. COCALIS
JOS. VOGEL
ALEXANDER PANTAGES
J. J. SULLIVAN
RALPH TALBOT
ED ROWLEY
MIKE NAIFY
JOHN HAMRICK
AL FINKELSTEIN
JENSEN & VON HERBERG
ROBERT McNEIL
J. L. SCHANBERGER
NASSER BROS.
GEORGE MANN
MORGAN WALSH
JOE BLUMENFELD
GASTON DUREAU
NATE BLUMBERG
JULES RUBENS
A. H. SCHWARTZ
JOE SEIDER
R. H. WILBY
SAM BENDHEIM

There's information of special value to you and all other exhibitors on the next three pages----

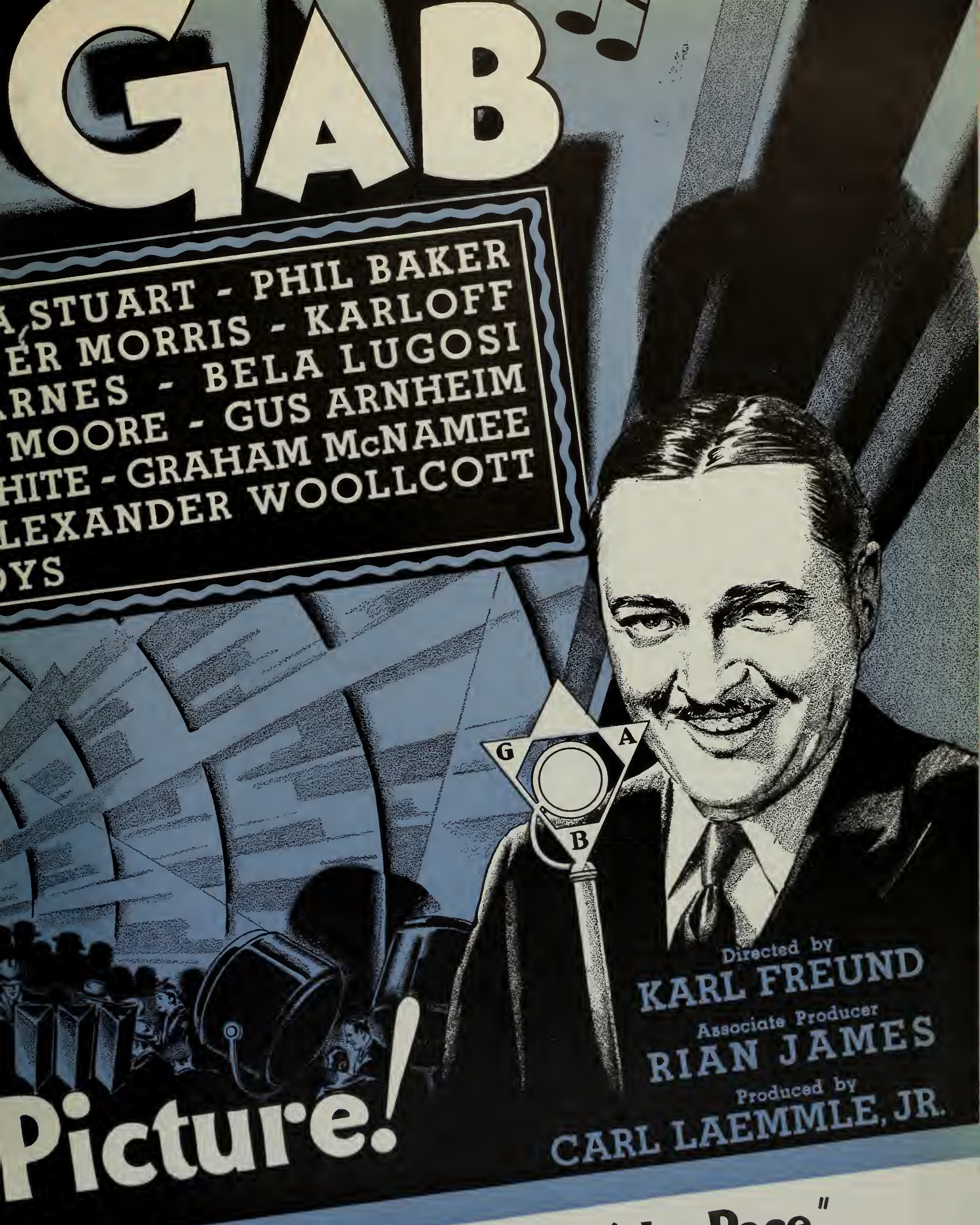
Carl Laemmle *presents*

GIFT of

EDMUND LOWE - RUTH ETTING - GL
ETHEL WATERS - PAUL LUKAS - CH
DOUGLASS MONTGOMERY - BINNIE
ROGER PRYOR - JUNE KNIGHT - VICT
HUGH O'CONNELL - WINI SHAW - ALIC
GENE AUSTIN - CANDY AND COCO
BEALE STREET

NOTHER UNIVERSAL BULLS-EYE

The 30 Sta



"Universal is Setting the Pace"....

HOLLYWOOD REPORTER

UNIVERSAL'S 'GIFT OF GAB' KNOCK-OUT MUSICAL COMEDY

Everything That Spells Box-Office

"GIFT OF GAB"
(Universal)

Universal shot the works on "Gift of Gab," and even if it were a poor picture—which it is NOT—no exhibitor anywhere need ponder for a moment over it. The cast reads like the Universal lot, with plenty of radio stars thrown in for good measure.

Good music; swell dialogue; insanely amusing sequences; an appealing, if not original, story, and grand performances throughout make this picture one of the big bets of the season.

Edmund Lowe and Gloria Stuart carry the bulk of the plot, but it isn't as important, from an entertainment standpoint, as the gags, music and comedy scenes.

Lowe plays the part of a fast-talking roustabout, who finally becomes the greatest reporter and announcer on the air. He pulls an awful boner—giving a fake interview with a famous flier who was killed twenty minutes before the broadcast—and then tries to drown his shame in many bottles. But Gloria Stuart arranges for his comeback, and they live happily ever afterwards.

That's the story. But the trimmings are something grand. Songs by Ethel Waters and Ruth Etting and the Downey Sisters and the Beale Street Boys; glimpses of Tom Hanlon, Graham McNamee and Alexander Woollcott; music by Gus Arnheim and his orchestra; one of the funniest farce scenes ever seen with Paul Lukas, Karloff, Roger Pryor and Chester Morris; a screamingly amusing scene in a doctor's office with Helen Vinson, Hugh O'Connell and Phil Baker; and very, very swell performances all around. Lowe in the role of the announcer provides the opportunity for the radio acts.

Lowe plays swiftly and with telling effect. Miss Stuart is charming. Hugh O'Connell is consistently amusing; Sterling Holloway has a swell chance and takes it as the sound effect man in the radio studio; Alice White, Binnie Barnes, Marian Byron, Andy Devine, are seen briefly, and Hymie Fink, the demon photographer, is supposed to be in the picture. But he went through too fast for these old eyes to catch him.

One of the funniest characterizations is given by Victor Moore as Colonel Trivers, head of the Trivers Chopped Chicken Livers Company. Henry Armetta has a grand bit, and Edwin Maxwell is the president of the radio station.

The picture is a lot of fun, and with such a cast, with the music and with its good direction, it's a cinch.

Karl Freund directed; Jerry Wald and Philip G. Epstein wrote the original story, and the screen play is a tribute to Rian James' sense of humor. George Robinson photographed more than well, and the music and lyrics —all good—are by Con Conrad, Albert Von Tilzer, Charles Tobias, John Meskill, Herb Magidson, George Whiting and Murray Mencher.

The picture is big and worth a lot of ballyhoo. Don't worry about it. It'll get along anywhere.

> **"Designed to extract a consistent flow of laughter from any audience, no matter how cynical...should appeal to all classes, especially the radio listeners, who hear but never see their favorites."**
>
> —*Motion Picture Daily*

HOLLYWOOD VARIETY

Gift of Gab

Lavishly studded with ace entertainment names and a wealth of entertainment items, 'Gift of Gab' needs only intelligent, showmanly re-cutting from its long preview assembly to make it an important box office candidate.

Shaped on the revue form, with the radio world as its scene, it has catchy song, amusing skit, an hilarious travesty on murder mysteries, a parade of radio celebs interestingly introduced and good individual performances to carry the light dramatic thread.

Rian James has succeeded in cannily weaving together the wide assortment of elements into an agreeable whole, although the writing assignment was a tough one. Smart handling here saved the story thread from some obvious pitfalls.

Edmund Lowe and Gloria Stuart capably enact the romantic angles which hinge on the one dramatic situation where the girl, a radio program director, salvages the egoistic radio announcer and reporter, Lowe, from drunken oblivion when his pride makes him go temporarily haywire at the mike and in heart affairs.

Radio reportorial stunt at this point puts tension into the picture when Lowe bails out of a broadcasting plane and hangs suspended to the landing wheel to score an ether beat over a wrecked plane. This is the highlight of a series of well done news broadcasts, with their comedy and heart implications.

Karl Freund has done a sound job of direction, eking every ounce of entertainment value from his diversified material.

In the song repertoire, one of the distinguishing features of the offering, Gene Austin effectively puts over 'Blue Sky Avenue;' Ethel Waters hits the theme song, 'I Ain't Going to Sin No More,' and Ruth Etting scores distinctively in crooning the romantic number 'Talking to Myself.'

Gus Arnheim's band supplies swell accompaniment, and the Beale Street Boys are in for corking quartette numbers.

Musical contributions are especially notable, with Con Conrad, Albert von Tilzer, Charles Tobias, John Meskill, Herb Magidson, George Whiting and Murray Mencher sharing credits.

Performances and appearances are all of high level, with Phil Baker, Hugh O'Connell, Marion Byron, Sterling Holloway and Douglas Fowley clicking especially. Photography is swell.

Dates Set for Protests Upon 8 Clearances

(Continued from page 1)

grievance appeals and 29 individual protests on clearance schedules. Eleven schedules are yet to be heard.

Code Authority expects to clear up the present calendar by the end of October. There are a number of schedules which have been returned to code boards for redrafting. After these have been revised dates will be set for general hearings here.

Schedules turned back are those for Atlanta, Cleveland, Kansas City, Milwaukee, New Haven, Memphis and New Orleans.

Distributors' Code Costs Up Thursday

Producer and distributor assessments, production, legal matters and the new exhibitor taxation plan will highlight a meeting of the joint code committees Thursday at the M.P. Club.

Attending will be S. R. Kent, Austin Keough, W. Ray Johnston, Nathan Yamins, Charles L. O'Reilly, Harold S. Bareford and Willard S. McKay.

Some producers and distributors are understood to be objecting to a plan to levy assessments on gross income, favoring the original plan proposed by the finance committee whereby set sums were listed for the various companies. It is stated that under the plan to tax grosses, certain distributors would have to pay more than originally set down under the first schedule.

The new theatre assessment plan provides for a greater number of classifications for theatres with proportionate reductions from the first six months' levy. The new exhibitor tax, when approved by Campi, will be retroactive to July 1, and will cover the second half of the year.

New Men Are Named For 3 Code Boards

Changes in the personnel of the Denver, Boston and Seattle code boards were made known yesterday by Campi.

Frank Culp of the Isis has succeeded Rick Ricketson of Fox Rocky Mountain circuit on the clearance and zoning board in Denver. John Dervin of United Artists has replaced Tim O'Toole on the Boston clearance and zoning board. M. Navarre of U. A. is now a member of the Seattle grievance board in place of L. N. Walton of Columbia.

Stop Detroit Giveaways

DETROIT, Sept. 17.—Sol Krim, operator of the Sun, has been ordered to stop giveaways and two-for-ones on the ground they are a code violation. The complaint was made to the grievance board by the Strand, located across the street from the Sun.

Four Cases Up in Cincy

CINCINNATI, Sept. 17.—After a few weeks' lull in the activities of the local grievance board, there now are four cases on the docket. These are scheduled to be heard Sept. 24.

ASCAP Action Depends Upon Federal Speed

(Continued from page 1)

P.T.O.A. and ASCAP. It's a fight between all theatre owners and the music organization," he said. "Numerous exhibitor units are joining in the move and we will have a united front when we start the action," Kuykendall stated. "Exhibitors large and small are joining the movement and several thousands of dollars already have been collected by the committee for the 'war chest,'" he added.

"Probably the next thing the society will demand is a percentage of the receipts," Kuykendall said.

"A few small voices have been raised in some parts of the country stating they would not participate. These people are either misguided or ignorant of the facts. If we are going to fight and do this right, we must have the wholehearted assistance of every theatre owner."

Campi Moves to End Chicago Buying Jam

(Continued from page 1)

Charnow heard six individual protests against the clearance and zoning schedule for the Windy City.

Ever since B. & K. objected to the new schedule distributors have been unable to negotiate new product deals and selling in the Chicago territory has been at a standstill as a result. With the hearings over, Campi will hand down decisions at the Sept. 27 session and selling will get under way once again.

Attending the meeting yesterday were Walter Immerman of the B. & K. circuit, Jack Coston of Warners and Jack Miller of Essaness.

Individual appeals heard were: Lincoln, Lincoln, Ill., against Bloomington, Illinois Great States Theatre Corp.; Palace, Gary, Ind., against Premier, Valparaiso, Ind.; Rosewood, Chicago, against Davis and Center (Essaness), Chicago; Premier and Empire against the entire schedule; Astor against Clark, Monroe, Woods, Majestic and Princess, Chicago; Logan against Embassy, Chicago.

League to Show Shorts

A second program in a series of experimental shorts is to be presented by the Film and Photo League at the New School for Social Research next Saturday night.

The program will consist of "Montparnasse," by Eugene Deslau, to be shown for the first time in America; "Emak Bakia," by Man Ray, and the uncensored version of Watson and Webber's "Lot in Sodom," together with a League newsreel, "America Today."

Fox Holds Joe May

HOLLYWOOD, Sept. 17.—As a result of his directorial work on "Music in the Air," Fox has signed Joe May, former director for UFA, for two more pictures. The first production will be "A Woman Lies," now being adapted from the Hungarian play by Seton I. Miller. The second will be a circus story as yet untitled. Both will be produced by Erich Pommer.

Seek Chicago Raise

Chicago, Sept. 17.—Of the 450 houses in this city, about 275 charge an admission of 15 cents up to 6 P.M.

A general move is understood to be under way to increase this figure to 20 cents.

Sign Writers Seek 10 Per Cent Raise

(Continued from page 1)

are expected to be opened within the next few days.

The increase sought would boost the present wage scale of $13.20 for a seven-hour day to $14.70 for the same hours. The local's contract expired last April 1, at which time it demanded and obtained the seven-hour day. Demands for a 10 per cent wage increase at that time were waived later, with the union retaining the right to present the demand again at the end of the summer.

Reciprocal Treaty With Spain Coming

(Continued from page 1)

1929 to $30,000,000 last year, statistics prepared for the department by the Department of Commerce show that shipments of films have increased heavily and that Spain last year took 17,220,279 linear feet, valued at $359,914, against 8,072,604 feet valued at $177,429 in 1929. Exports of unexposed, sensitized film, however, have declined from 879,794 feet valued at $168,183 in 1929 to 294,675 valued at $58,935 last year, it was reported.

Columbus Faces New City Theatre Taxes

(Continued from page 1)

along with a tax on football tickets for all college and high school games, and an occupational tax on business and professional men, will be among the chief recommendations. Otherwise, it is pointed out, that the personnel of the fire, police and other public service departments will be slashed, or salaries drastically reduced.

Kandel to Take 100 From English Studio

(Continued from page 1)

in America 100 pictures from the Twickenham Studios in England.

The deal covers a period of five years, 20 features every 12 months. Kandel has made several deals for distribution through major channels while other pacts have been closed with state right exchanges.

Spokane Hit by Strike

SPOKANE, Sept. 17.—Now going into the fourth week, the street car strike here has made serious inroads into box-office receipts. With no suburbans here and the entire 13 houses in the downtown area, all are affected.

Myrick Buys Iowa House

SPIRIT LAKE, IA., Sept. 17.—The State at Lake Park has been purchased by A. C. Myrick of Spirit Lake. He has opened the house with new sound equipment and a new stage.

B. & K. Picks Five for 25c Minimum Rate

(Continued from page 1)

"The Mighty Barnum," with Wallace Beery, and "Kid Millions," with Eddie Cantor. Beery may be cast in "Clive of India." If he is, B. & K. will substitute this picture for the Cantor vehicle. These are all U.A. releases.

"One Night of Love" will most likely be the first Columbia release under the plan and "Belle of the Nineties," Paramount picture, is being considered.

Walter Immerman, now in New York on product deals, is understood to be talking over with major company sales heads the designation of these releases.

Fox Settles Lease On Salina Theatre

KANSAS CITY, Sept. 17.—By stipulation approved by the referee in bankruptcy, the Grand Theatre Building Co., of Salina, Kan., has withdrawn a claim of $35,000 against Fox Midland Theatre Co., arising out of a supplemental lease agreement not to operate or lease the house for a period of five years after expiration of the Fox lease.

The claimant also agreed to dismiss suit for a similar amount pending in the Federal district court in Kansas against Fox Midland and its subsidiary, Salina Theatre Building Co. In return, Fox Midland releases the owner from terms of an expired lease under which the Grand Theatre Building Co. was prevented from leasing or using the premises for amusement purposes before March 1, 1937. By terms of the settlement, Fox Midland agreed to cancel all rights to the property on Dec. 31, this year.

Arranging Eddy Rites

Funeral arrangements were being made yesterday for Wesley Eddy, 31, master of ceremonies recently at the Roxy here, who was found dead Sunday of a self-inflicted bullet wound at his mother's grave in St. Michael's Cemetery, Stratford, Conn. Grief over her death was said to have driven him to end his life. Surviving are his widow, a son and a brother. Eddy, whose real name was Edward Gargiulo, was to have returned to the Roxy Sept. 20.

Abramson Laid to Rest

Funeral services were held Sunday in the Park West Chapel, 115 West 79th St., for Ivan Abramson, author and independent producer, who died Saturday at Mount Sinai Hospital at 65 years of age. Burial was in Mount Lebanon Cemetery. Surviving are his widow, a sister and a brother. Abramson, who entered the industry in 1917, had a hand in drafting the code.

Change Warner Title

HOLLYWOOD, Sept. 17.—Warners have changed the title of "Half Way to Heaven" to "Maybe It's Love."

Old Directors Seek Quashing Of Para. Suit

(Continued from page 1)

uel Spring, counsel for the defendant directors, no denial is made that the directors named in the complaint authorized performance of a contract requiring Paramount to pay $4,875,000 for the 65,000 shares of its stock issued to Kunsky & Trendle for the acquisition of that circuit in 1929, and that the payments so made were in excess of the market value of the stock on the New York Stock Exchange at the time.

Other Facts Admitted

Likewise, the answer makes no denial of the allegations in the complaint that the directors authorized performance of similar contracts requiring Paramount to pay $2,550,000 for 30,000 shares of stock issued to Great States Theatres; $615,971 for 14,350 shares issued to Balaban & Katz, and $4,036,140 for 49,887 shares to William S. Paley in the acquisition of an interest in Columbia Broadcasting System. Admission is also made that in each instance the payments made were in excess of the market value of the stock on the Exchange at the time. The answer likewise admits that Paramount had debts at the time of the transactions, which were not then due and payable, in an amount exceeding $12,237,000.

All other allegations of the trustees' complaint are denied.

Defendants named in the action are: Frank A. Bailey, Jules E. Brulatour, Daniel Frohman, John Hertz, Felix E. Kahn, Gilbert W. Kahn, Sam Katz, Sidney R. Kent, Austin C. Keough, Ralph A. Kohn, Jesse L. Lasky, Elek J. Ludvigh, Sir William Wiseman, Adolph Zukor, Eugene J. Zukor and executors of the estates of Casimir I. Stralem, Emil E. Shauer and William H. English.

A hearing date for the action will be set in Supreme Court.

Lieber Sues Para. For $460,000 Rent

(Continued from page 1)

on his Indiana and Circle, Indianapolis, when the houses were taken over by Skouras in 1928. He alleges they were vacated in 1930 and are now being operated by Monarch Theatres.

The new bankruptcy laws permit the filing of future rent claims for a maximum of a two-year period following default of a lease. The period for filing claims under the new section ended Sept. 15 and claims aggregating several millions of dollars were filed up to that time. As many of these claims were duplicates of others, particularly bondholders' claims, filed in the earlier Paramount bankruptcy proceedings, no accurate estimate of the amount of new claims filed can be had until such duplications have been eliminated.

A total of $282,000,000 in claims was filed against Paramount in the earlier proceedings and subsequently scaled down to $50,600,000.

Expect New Para. Plan To Be Ready in 3 Weeks

(Continued from page 1)

dent, is due to arrive from the coast Thursday for final consultations with reorganization factors. His return here has been twice delayed pending developments in connection with a settlement of the bank suit, which barred further progress on the plan of reorganization.

The banks are admittedly creditors for $13,200,000, and as such are among the three prime movers in the reorganization work. The others are the bondholders and stockholders, with general creditors' interests thrown in with the majority bondholders. The settlement of the suit would involve, according to reports, a surrender by the banks of an alleged preference on $9,600,000 of their claim, the amount said to represent Paramount's old or renewed credit at the time of the Film Productions transaction. The $3,600,000 balance, said to represent new credit accorded Paramount in the transaction, would continue in its present status.

Paramount bonds, which include Paramount Publix and Paramount Broadway issues, always sensitive to reorganization progress, closed up to more than three points higher than Saturday's close, when similar gains were also recorded.

Referee John E. Joyce is scheduled to hear the petition of the Paramount trustees and counsel today for allowances aggregating $721,204. The trustees, Charles D. Hilles, Eugene W. Leake and Charles E. Richardson ask $100,000 each for services during the company's bankruptcy up to June 18, and their counsel, Root, Clark, Buckner & Ballantine, ask $350,000. The balance is sought by special counsel and accountants employed in the proceedings.

Looking 'Em Over

"Redhead"

(*Monogram*)

With a little cutting, this picture should have no trouble pleasing audiences in small towns and neighborhood houses. The theme is that of the reclamation of a ne'er do well son of a wealthy father by the love of a poor, misunderstood, but honest girl. Bruce Cabot and Grace Bradley handle the leads effectively. Melville Brown's direction is smooth and Ira Morgan's photography good.

Miss Bradley, an artist's model, is cleared of a murder charge brought against her when the man for whom she is posing is killed by a fall. Unable to erase the stigma of the charge and unable to secure work, she agrees to marry Cabot to blackmail his father, who has just cut him off. To their surprise the father refuses to pay and offers Miss Bradley $10,000 if she can straighten out his son. She agrees, and they leave in Cabot's expensive roadster, which they later trade for a traveling lunch wagon. After falling for each other against their better judgment, Cabot gets a job in a factory and invents a safety device, which he is unable to sell until Miss Bradley hits upon a clever ruse, with the help of a newspaper reporter, which brings about a happy finale.

The cast also includes Regis Toomey, Berton Churchill George Humbert, Ed Brady and Bess Stafford. Previewed without production code seal. Running time, 76 minutes.

"Beyond the Trail"

(*Monogram*)

For those western fans who like their heroes active and tough and who revel in chases down streams and over the countryside on horseback, this latest Monogram western is to be recommended. But it is slightly lacking in straight entertainment value. Robert N. Bradbury directed with an eye that appears to have been centered solely on chases. Archie Stout's photography of the outdoor shots is good. The story is adapted from James Oliver Curwood's "The Wolf Hunters."

John Wayne is sent into the north country to find the niece of his father's best friend. On the train he rescues Noah Beery, Jr., from a trumped up murder charge. Fleeing into the wilderness, they discover an abandoned cabin, and a map of a lost gold mine. Trailed by the mounted police, the two youths combat a band of renegades and eventually get the gold. The finish is a grand battle royal between the mounted police and the renegades, the outcome of which clears Wayne and Beery of the murder charge and discovers the lost girl.

The cast also includes Noah Beery, Sr., Verna Hillie, Iris L. Lancaster, Earl Dwyer and Ed Parker. Picture reviewed without production code seal. Running time, 60 minutes.

"Hideout" Out Front in Rush At Pittsburgh

PITTSBURGH, Sept. 17.—With the biggest lineup of attractions around here in years, the town went overboard last week, rolling up grosses that haven't been approached in some time.

The Penn, with "Hideout" and Ted Lewis on the stage, led the field, getting around $32,000, the best takings here since Joe Penner made a personal appearance last winter. At the Stanley, Dick Powell was the lure and he is generally credited for most of the business. "Desirable" was the screen attraction. The gross was around $23,000, the best here since Eddie Cantor's and Dave Rubinoff's unit played town.

The big business at these two houses naturally drained the rest of the town, although the Fulton, playing "Handy Andy" for eight days, made a creditable showing at $6,500. The chief sufferer was the Pitt, where "Embarrassing Moments" and vaudeville, gathered only $4,000.

Total grosses in six first run houses were $71,900. Average is $62,000.

Estimated takings for the week ending Sept. 13:

"BABY TAKE A BOW" (Fox)

ALVIN—(2,000), 25c-40c, 3 days, 2nd week. **Gross:** $2,500. (Average, for six days, $5,000)

"HANDY ANDY" (Fox)

FULTON—(1,750), 15c-40c, 8 days. **Gross:** $6,500. (Average, for 6 days, $4,500)

"HIDEOUT" (Metro)

PENN—(3,300), 25c-75c, 6 days. Stage: Ted Lewis and his "Happiness Follies of 1934." **Gross:** $32,000. (Average, $22,000)

"EMBARRASSING MOMENTS" (Univ.)

PITT—(1,600), 15c-35c, 6 days. Stage: Mayfair Revue, Leavitt and Lockwood, Vox and Walters, Roy Rogers, Jean Granese, Murand and Girton, Kirk and Lawrence. **Gross:** $4,000. (Average, $6,500)

"DESIRABLE" (Warners)

STANLEY—(3,600), 25c-60c, 6 days. **Stage: Dick Powell,** Collins and Peterson, Carr Bros. and Betty, Collette Sisters, Albertina Rasch dancers. **Gross:** $23,000. (Average, $19,000)

"THE HUMAN SIDE" (Univ.)
"BLIND DATE" (Col.)

WARNER—(2,000), 25c-40c, 6 days. **Gross:** $3,900. (Average, $5,000)

"Fountain" Leader In Omaha, $5,300

OMAHA, Sept. 17.—"The Fountain" and "The Defense Rests" on a dual bill at the Brandeis topped the town with $5,300, over the line by $1,300.

The other two first runs, both with dual bills, also pulled well. "Straight Is the Way" and "Ladies Should Listen" were strong at $3,900 in the World, and "The Cat's Paw" and "Here Comes the Groom" topped the line at the Orpheum with $8,800.

Total first run business was $18,000. Average is $15,500.

Estimated takings:

Week Ending Sept. 12:

"STRAIGHT IS THE WAY" (M-G-M)
"LADIES SHOULD LISTEN" (Para.)

WORLD—(2,200), 25c-40c, 7 days. **Gross:** $3,900. (Average, $4,000)

Week Ending Sept. 13:

"THE FOUNTAIN" (Radio)
"THE DEFENSE RESTS" (Col.)

BRANDEIS—(1,500), 20c-25c-35c, 7 days. **Gross:** $5,300. (Average, $4,000)

"THE CAT'S PAW" (Fox)
"HERE COMES THE GROOM" (Para.)

ORPHEUM—(3,000), 25c-40c, 7 days. **Gross:** $8,800. (Average, $7,500)

"You Belong" Gets $5,500, Denver Lead

Denver, Sept. 17.—With business generally good, "You Belong to Me" led the town last week, getting $5,500 at the Denham. This exceeded par by $1,500.

In its second week at the Aladdin "The Cat's Paw" was still going strong, the $3,500 take being just $1,000 over normal.

Total first run business was $20,500. Average is $20,500.

Estimated takings for the week ending Sept. 13:

"THE CAT'S PAW" (Fox)
ALADDIN—(1,500); 25c-35c-50c, 7 days, 2nd week. **Gross:** $3,500. (Average, $2,500)
"YOU BELONG TO ME" (Para.)
DENHAM—(1,500), 25c-35c-50c, 7 days. **Gross:** $5,500. (Average, $4,000)
"OF HUMAN BONDAGE" (Radio)
DENVER—(2,500), 25c-35c-50c, 6 days. **Gross:** $4,000. (Average, $6,000)
"THE WORLD MOVES ON" (Fox)
ORPHEUM—(2,600), 25c-35c-50c, 7 days. **Gross:** $5,500. (Average, $6,000)
"STRICTLY DISHONORABLE" (Radio)
"BACHELOR BAIT" (Radio)
PARAMOUNT—(2,000), 25c-40c, 7 days. **Gross: $2,000.**

"Now and Forever" Leader in Buffalo

Buffalo, Sept. 17.—Big money here last week went to "Now and Forever" at Shea's Buffalo. With a stage show to help, the take slid up to $18,200. Average is $14,300.

Two duals did well. "Cockeyed Cavaliers" and "Paris Interlude" at the Century reached $6,400, and "Romance in the Rain" and "The Crime of Helen Stanley" took $6,700 at the Lafayette.

Total first run business was $46,200. Average is $46,300.

Estimated takings for the week ending Sept. 14:

"NOW AND FOREVER" (Para.)
BUFFALO—(3,500), 30c-55c, 7 days. Stage: Bob Hope, with Doris Reade, Louise Troxell, Paul Murdoch, George Pounes; Larry Adler; Four Flash Devils; Duffin & Draper. **Gross:** $18,200. (Average, $14,300)
"COCKEYED CAVALIERS" (Radio)
"PARIS INTERLUDE" (M-G-M)
CENTURY—(3,000), 25c, 7 days. **Gross:** $6,400. (Average, $6,000)
"WILD GOLD" (Fox)
"BACHELOR BAIT" (Radio)
COURT STREET—(1,200), 25c, 7 days. **Gross:** $600. (Average, $1,500)
"BULLDOG DRUMMOND STRIKES BACK" (U. A.)
GREAT LAKES—(3,000), 25c-40c, 7 days. **Gross:** $8,100. (Average, $10,000)
"THE SCARLET EMPRESS" (Para.)
HIPPODROME—(2,100), 25c-40c, 7 days. **Gross:** $6,200. (Average, $8,000)
"ROMANCE IN THE RAIN" (Univ.)
"THE CRIME OF HELEN STANLEY" (Col.)
LAFAYETTE—(3,300), 25c, 7 days. **Gross:** $6,700. (Average, $6,500)

Mascot Picture Opens

Mascot's "Young and Beautiful" had its premiere yesterday at the Criterion. At last night's performance an array of orchestra leaders and radio personalities was present in tribute to Ted Fio-Rito, who is featured in the film with his orchestra.

"Broken Lives" New Title

Majestic has changed the title of "Unknown Blonde" to "Broken Lives." Under the original title, the picture was reviewed by Motion Picture Daily on April 2.

Variety Club Chatter

Cincinnati

Cincinnati, Sept. 17.—An evening luncheon and general get-together meeting has been held as the initial shindig of the fall season. Plans were formulated for the fall and winter activities. Regular Monday noonday luncheons will be inaugurated Oct. 1 in the Frontier room of the Netherland Plaza instead of the club rooms, as heretofore. Luncheon will be followed by an hour of entertainment in club quarters, provided by the Kings for a Day, whom Chief Barker Moritz is expected to appoint soon.

Arthur Frudenfeld was named first assistant chief barker and canvassman at a meeting of the canvassmen. He succeeds Marc Wolf, who recently moved to Indianapolis.

The first ladies' night, which proved so popular last year, has been set for Sept. 29. These affairs are given on Saturday nights.

The annual banquet of Tent No. 3 will be held Nov. 24, in one of the swanky quarters of the Netherland Plaza, according to present plans.

The local tent is lining up a representative delegation to journey to Pittsburgh for the annual banquet to be held there Oct. 14.

J. S. Jossey, member of Tent No. 6, was a visitor at local headquarters last week.

Barker J. N. Gelman is back in town after a honeymoon trip to New York.

Naylor Stone, sports editor of the *Post*, is spending an enforced vacation in the hospital recovering from serious injuries sustained when his automobile struck a pole while he was driving about the city.

Harry Sachs, barker of the Cleveland tent, was recent visitor at the local club.

Columbus

Columbus, Sept. 17.—Chaplains of the Variety Club make news these days. Dr. Donald Tippett just returned from an extensive speaking tour through Illinois, winding up with a two weeks' fishing trip in northern Michigan. Father Corbett stopped off a few hours in Columbus en route from Texas to New York City for his annual visit. Reports that he is entirely recovered from his ill health. Dr. Tarshish given a long time radio contract with Station WOR, Newark, N. J.

Barker Arden Strang, publicity man from the RKO-Palace, beside taking unto himself a charming bride, announced his resignation from the theatre to become publicity director for Coal Authority of the State of Ohio—two drastic acts without blinking an eyelash.

Barker Cline Roberts appointed chairman of Divisional Code Authority No. 21, Retail Solid Fuel Industry.

Barker Leo Haenlein reports the best season in four years at his Olentangy Park. The park closed on Labor Day and all Leo has to do from now on is to see that the Variety Club maintains its good reputation for the winter.

Barker Jack Kelly has severed his connection with Radio Station WSEN and is now affiliated with WBNS.

Chief Barker Duke Clark has been made a Kentucky colonel.

Lulu Dickson, protege of the club, has been awarded a mother's pension and the sun begins to shine again.

Barker L. C. Goldsol has given the club a number of donation banks for members to deposit their stray coins in from now until Christmas to help defray the expense of the children's Christmas party given each year for 300 children of Columbus.

Pittsburgh

Pittsburgh, Sept. 17.—Plenty of interest in the Variety Club banquet in honor of Harry Kalmine and Harry Goldstein. This will be the sixth annual banquet and the date is set for Sunday, Oct. 14, the day following the big football game between Pitt and California. The first three days after the announcement 200 reservations were received. Last year 40 acts and eight bands wowed the town. John H. Harris, national president, is chairman for the sixth consecutive year.

Harry Goldstein making plenty of visits to Pittsburgh in his new capacity as district manager for Paramount.

Dick Powell has a copy of a letter from Johnny Harris written two years ago to Jack L. Warner asking Jack if he would give Dick a chance.

Barker Art Levy all swelled up by the plug Paul Block gave his picture in the *Post*.

Changes in the dining room are being made to accommodate 100 guests—will be open Sept. 24.

"One Night" Record Is Set in Portland

Portland, Sept. 17.—"It Happened One Night" has hung up a new record at Hamrick's Blue Mouse. It ran 105 days plus two weeks at another downtown house, or 119 days, plus one week at still another house, a total of 126 days. During this same period the picture was shown at suburban theatres for from three to four days. It is estimated the film has been seen by upwards of 150,000 of Portland's 300,000 population.

Holdovers for "Cristo"

Reliance's latest "The Count of Monte Cristo," released through United Artists, is being held over in a number of key cities. The picture is now ending its second week at Keith's, Baltimore, is in its third week at the U.A., Chicago, and is now beginning its second at the U.A., Detroit.

As a result of a big opening Saturday at Keith's, Boston, it will be held for at least two weeks. It is also running in Washington at Keith's, Aldine in Philadelphia and Loew's State in New Orleans.

Five Rejected by Breen

Hollywood, Sept. 17.—Five features have been rejected by the Production Code Administration in the two months it has been in operation, it was revealed today by Joseph I. Breen. Three of them have been remade and approved.

"Forever" Up To $7,400 in Seattle Lull

Seattle, Sept. 17.—"Now and Forever" was the strongest attraction here during a dull week. It went over par by $400 on a $7,400 take at the Fifth Avenue. Second honors went to "Dames," which grossed $3,700 on an extended run from the Music Hall at the Blue Mouse.

All other houses were below average. Total first run business was $27,700. Average is $31,000.

Estimated takings for the week ending Sept. 14:

"DAMES" (Warners)
BLUE MOUSE—(950), 25c-40c-55c, 7 days. (Extended run from Music Hall theatre.) **Gross:** $3,700. (Average, $3,500)
"NOW AND FOREVER" (Para.)
FIFTH AVENUE—(2,450), 25c-40c-55c, 7 days. **Gross:** $7,400. (Average, $7,000)
"LINE UP" (Col.)
"GUN JUSTICE" (Univ.)
LIBERTY—(1,800), 10c-15c-25c, 7 days. **Gross:** $2,200. (Average, $4,000)
"ROMANCE IN THE RAIN" (Univ.)
MUSIC BOX—(950), 25c-35c-50c, 7 days. **Gross:** $3,100. (Average, $4,000)
"THE FOUNTAIN" (Radio)
MUSIC HALL—(2,275), 25c-40c-55c, 7 days. **Gross:** $6,100. (Average, $6,500)
"THE WORLD MOVES ON" (Fox)
PARAMOUNT—(3,050), 25c-35c, 7 days. Vaudeville headed by Phil Rich and Casanova Revue. **Gross:** $5,200. (Average, $6,000)

Shakespeare Play Opens

Hollywood, Sept. 17.—Max Reinhardt's production of "A Midsummer Night's Dream" opened tonight in the Hollywood Bowl on a scale that Shakespeare would have marveled at. The seating capacity was limited to 14,000. The California Festival Ass'n., which is sponsoring the show, announced the bowl had been sold out for the premiere and the four performances to follow. The masses rubbed shoulders with picture notables and the social elite of Los Angeles at the opening.

Youngclaus Sells Two

Columbus, Neb., Sept. 17.—W. N. Youngclaus has sold his interest in the Pawnee and Swann to Central States Theatres, managed by Harry Weinberg of Des Moines, who now controls 11 houses in the Omaha territory. Two weeks ago Youngclaus filed a complaint against Weinberg with the Omaha grievance board charging overbuying.

L.A. Criterion Reopening

Los Angeles, Sept. 17.—Under a joint working agreement between Fanchon & Marco and T. L. Talley the Criterion, dark five months, will reopen Thursday under a policy of continued first runs overflowing from the Paramount. This makes three houses in the downtown district where F. & M. is directly and cooperatively operating.

Affair Held by ASC

Hollywood, Sept. 17.—The American Society of Cinematographers staged its first annual high jinx tonight at the Uplifters' Club with studio executives among the guests. Studios stopped production where possible to enable cameramen to attend.

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APLIN

PRODUCTION

for early 1935 release

Kuykendall to Talk To Units in South

Discussion of ASCAP's proposed music tax increase, the Legion of Decency, product, labor and theatre operation will be the topics Ed Kuykendall, president of the M.P.T.O,A., will talk about at the general meeting of the M.P.T.O. of North and South Carolina tomorrow in Charlotte. Kuykendall leaves tonight for the south.

Following this session, the M.P.T.O.A. head will discuss the same subjects at a two-day meeting of the Tri-States Theatre Owners in Memphis, starting Oct. 7.

In discussing theatre operation, Kuykendall will ask exhibitors to try to increase prices in a small way. He believes, also, there are a number of pictures to be released soon which have considerable exploitation value and that exhibitors should take advantage of the opportunity.

Kuykendall states that admissions in certain parts of the country are too low and where possible will advocate a small boost. He will also interpret certain sections of the code at both meetings, familiarizing exhibitors with the 12 new principles adopted last week by Campi in setting up clearance and zoning schedules.

Philadelphia Feels Few Strike Effects

PHILADELPHIA, Sept. 17.—The textile strike situation here is not yet grave enough to affect theatre business drastically. A report of the Textile Workers' Union issued last week that seven mills have acceded to the workers' demands has softened the situation locally. Suburban districts, such as Norristown, Delaware County and Manayunk are harder hit.

PATERSON, Sept. 17.—Little effect of the silk strike has been felt here so far, despite the fact that the silk industry has practically left the city, making the dyers the sole important link remaining in the textile field here.

An indication of the situation is afforded by Warners' reopening of the Regent last week as a second run, double feature house, and their uninterrupted plans for renovating the Garden for reopening as a first run within the next 10 days.

Thousands of non-unionized textile workers in Passaic are not yet out, but attempts will be made to close the mills within the next few days, according to reports.

Flashes Daily Reviews

KANSAS CITY, Sept. 17.—Lawrence Lehman, manager of the RKO Mainstreet, is using enlarged reviews from MOTION PICTURE DAILY and *Motion Picture Herald* as major features of his campaign on "British Agent," the Mainstreet's current showing. After displaying the "blowups" in the lobby a week in advance, he has planted them prominently out in front where they will remain until the end of the run.

Benas Talks to ITOA

John Benas, buyer for the Leon Rosenblatt circuit, yesterday talked to members of the I.T.O.A. at the Astor on new product from all companies.

Today Benas will talk to members of the Allied unit in Boston.

U.A. Sets Western Deal

United Artists, according to Al Lichtman, vice-president and general manager in charge of distribution, has closed a deal with the Minnesota Amusement Co., Mid-west circuit with houses in Minnesota, North and South Dakota and Wisconsin, for the company's entire 1934-35 output.

Picker Joins Exchange

Sidney Picker has joined the executive staff of Hollywood Film Exchange, the distributing organization for Liberty Pictures.

Selects Bartholomew

HOLLYWOOD, Sept. 17.—M-G-M has picked Freddie Bartholomew for the role of "David Copperfield" as a boy. Tests have been going on for weeks.

Pierson Made Collector

H. Wayne Pierson, formerly with Columbia and General Outdoor Advertising Co., was sworn in yesterday as general deputy collector of internal revenue. His headquarters will be in New York.

Goldwyn Recalls Vidor

HOLLYWOOD, Sept. 17.—King Vidor has been recalled by Samuel Goldwyn from England to direct Anna Sten and Gary Cooper in "Broken Soil." Vidor is expected in New York shortly. He will fly here.

Ad Schulberg in Town

Ad Schulberg, Hollywood agent, is in town for a three-week rest. She may go to Europe before heading west again.

Mt. Morris License Back; House Opens

Commissioner of Licenses Paul Moss has restored the license to the Mount Morris, following settlement between the theatre and Local 306 of back salaries due to operators. The house was closed last Monday when the theatre management refused to pay on a judgment received by the union, holding that a new company was in charge of the house. The union proved that the management was the same despite change in corporation name.

Roach on a Fast Trip

Hal Roach left at 5 A.M. this morning for the coast by plane and expects to arrive in Hollywood sometime tonight.

Must They Bring Cushions Along?

● Theatre goers are comfort lovers. If they drive to your theatre in automobile comfort, will they sit contentedly on hard, lumpy, worn-out chairs?

ASK US,
"How can I reseat my theatre economically?"

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VOL. 36. NO. 67 NEW YORK, WEDNESDAY, SEPTEMBER 19, 1934 TEN CENTS

Expect Return Of Three Zone Plans to K. C.

Dual Penalties Included In Schedules on File

KANSAS CITY, Sept. 18.—While members of the local clearance and zoning board refused comment until they had an opportunity to digest the new set of principles governing clearance adopted by Campi, it is strongly expected here that schedules for Kansas City, Wichita, Kan., and St. Joseph, Mo., will be returned for revision. All three are before Campi on appeal.

The major discrepancy between the adopted schedules and the new instructions lies in the penalties for double billing. The Kansas City plan

(*Continued on page* 8)

Willentz Takes His Newark Case to NRA

Having lost three decisions, the Elwood, Newark, N. J., an Allied member, has taken its clearance and zoning complaint against Warners' Regent, Newark, and Capitol, Belleville, to the NRA in Washington.

David T. Willentz, attorney general of New Jersey, represented the complaining exhibitor. The case was first heard by the New Jersey advisory committee, which decided against him. The recommendation was then passed

(*Continued on page* 8)

Zoning Discussed by Sam Morros in K. C.

KANSAS CITY, Sept. 18.—Sam Morros, assistant to John C. Flinn, met today with the grievance board here on his tour of survey of local boards. Clearance problems and the 12 zoning principles adopted last week by Campi were discussed. Morros will attend Thursday's hearing of the board.

Mercury's Down

Cincinnati, Sept. 18.—Management of the RKO Palace is being commended on its frankness in advertising.

In a large display frame announcing coming attractions, with a permanent line at the bottom, this appears:

Mae West
in
"Belle of the Nineties"
Carefully Cooled.

RKO to Keep Five Houses In New Deal

Loew's Agrees as Lease Problems Develop

Although Loew's orginally insisted that RKO drop all of the 11 independent theatres acquired in Greater New York before it talked peace terms, circuit officials are relenting on this stand and as a result will permit RKO to continue to operate at least five houses.

RKO has been experiencing some difficulty in settling leases on some of the houses recently taken over, particularly the Apollo and Hollywood on the lower east side. As a result, Loew's has agreed that these houses can stay in the RKO fold, but at the same time these theatres will not benefit by the product switch.

(*Continued on page* 6)

Kuykendall to Talk With U. S. Officials

Ed Kuykendall, president of the M.P.T.O.A., will be in Washington tomorrow, presumably to confer with government officials on the anti-trust suit against A.S.C.A.P. Last night the M.P.T.O.A. head left for Charlotte to speak before North and South Carolina exhibitors today on proposed tax increases by the music society. From Charlotte he goes to Washington and returns to New York Friday.

Meanwhile, the exhibitor emergency committee is going ahead with plans

(*Continued on page* 6)

Northern Mine Boom Big Help in Ontario

TORONTO, Sept. 18.—The mining boom is helping theatre business in the North Country. The Grand at Sudbury, managed by Dick Main, formerly of Toronto, registered a record day's patronage for a day this month and daily attendances since Labor Day have been close to the peak. An addition is being built.

Canadian Auditors On Loew's, Toronto

TORONTO, Sept. 18.—A financial statement is now being prepared for Marcus Loew's Theatres, Ltd., Toronto, for the 20 months from Jan. 5, 1933, and this will be checked by a Canadian firm of auditors for presentation at a general meeting of shareholders in October as a result of an

(*Continued on page* 6)

Turns Author

Erich von Stroheim, in New York from the coast, revealed he has been spending the last year or so writing a book, soon to be published.

1st Division Plans 12 with Pathe Backing

With the entrance of Nicholas S. Ludington and William M. L. Fiske, 3rd., into the company, First Division plans to start production on a broad scale simultaneously with the expansion of its exchange system.

The company now has 11 branches in the east, New England and south, representing 60 per cent of the United States, and intends to complete the 100 per cent representation by the end of the year. Plans for entering the

(*Continued on page* 8)

Montana, Oklahoma Grosses $5,945,000

WASHINGTON, Sept. 18.—Data on theatre operations in Montana and Oklahoma during 1933 today was made public by the U. S. Census Bureau.

Returns from Montana showed 72 houses in operation last year, with total receipts of $780,000 and payroll payments of $137,000. In addition, there were 12 film and vaudeville theatres, with receipts of $756,000 and

(*Continued on page* 6)

Operators in Cincy Sign for Two Years

CINCINNATI, Sept. 18—After negotiations covering several weeks, an agreement has been reached between subsequent runs and Operators' Local 327. A new contract has been signed, effective to Aug. 31, 1936.

Scale for first year is virtually the same as in the previous contract, $45 to $62.50 per week, graduated according to seating capacity, and based on

(*Continued on page* 6)

New Group to Open Southern Theatres

ATLANTA, Sept. 18.—Co-operative Theatres, Inc., has been formed here to take over and operate theatres now closed in the southeast. Charles S. Mion of Atlanta, partner in operation

(*Continued on page* 6)

Para. 6-Month Net Is Put at $3,883,856

Earnings Disclosed at Allowance Hearing

Paramount showed a net profit of $1,282,000 for the second quarter of the current year, making a net profit for the first half of 1934 of $3,883,856, it was disclosed yesterday at a hearing before Special Master John E. Joyce. Net profit for 1933 was $5,029,252.

The disclosure of Paramount's second quarter earnings was made in response to inquiries by creditors in connection with a hearing on a petition for interim allowances and special fees and expenses aggregating more than $700,000, submitted by the Paramount Publix trustees, their counsel and special counsel and accountants, for services rendered during the Paramount bankruptcy, from April 19, 1933, to June 16, 1934. On the latter date Paramount became a debtor corporation for reorganization under Section 77-B of the Bankruptcy laws.

The petition of the Paramount

(*Continued on page* 6)

New Fox Met Talks Will Start Today

New efforts to develop a new Fox Metropolitan operating contract as a basis for a plan of reorganization for the circuit will be initiated today with the beginning of a series of conferences between Skouras and Randforce, the operators, and the Fox Met bondholders' committee, it was learned yesterday.

The committee has endeavored to revise the Skouras and Randforce 18-year agreements in order to make possible a sale of the circuit after one year following reorganization. Indications are that the renewed negotiations will aim at the same objective but with new alternatives being offered the present operators.

Not for Children

Kansas City, Sept. 18.—In harmony with the new trend in film advertising is a note in the Newman's newspaper copy on "The Scarlet Empress" declaring: "We believe this picture will not entertain children."

MOTION PICTURE
DAILY
(Registered U. S. Patent Office)

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Dine Mochrie in Phila.

PHILADELPHIA, Sept. 18.—Robert Mochrie of the Warner exchange here, who has been made assistant to A. W. Smith in New York, was given a dinner at the Bellevue Stratford last night. Among the 150 present were Joseph Bernhard, Smith, and S. Charles Einfeld from the home office. Dick Powell was among the entertainers. Mochrie was presented a watch.

Vidor Leaves Tomorrow

King Vidor, who has just returned from a month's vacation abroad, plans to leave for the coast tomorrow or Friday to start preparations on "Broken Soil," which Samuel Goldwyn will put into production Oct. 15. Anna Sten and Gary Cooper will top the cast.

Ross, Columbia Dicker

Nat Ross, independent producer, is understood to be negotiating with Columbia to make a series of features. Ross is trying to borrow Ramon Novarro from M-G-M for one of the pictures. He recently completed "Atlantic Crossing."

May Pick Helen Morgan

As a result of recent screen tests, Warners may pick Helen Morgan to appear opposite Rudy Vallee in "Sweet Music," which is scheduled to get under way on the coast the first of next month. Vallee leaves for Hollywood next week.

Laurel Injury Gums Hal Roach Schedule

HOLLYWOOD, Sept. 18.—The inability of Stan Laurel to return to work on "Babes in Toyland" because of a recent leg injury has caused a serious problem at the Hal Roach studio. Work cannot be started on any new production because of the lack of space caused by the size of the "Babes in Toyland" sets and the resultant crowding of the studio.

Doctors claim that Laurel will be unable to return to work for two or three weeks. In the meantime, Roach's short subject schedule will be upset and Laurel's late return may force him to rent space at another studio.

Close 16mm Deal in West

W. A. Harju and Garrison Film Distributors have closed a deal for 16mm educational films among farmers' groups in North and South Dakota and Wisconsin, Minnesota and Michigan. Projectors will be supplied with the films to be shown in small villages, churches and on farms.

"U" Sells 18 to Roxy

Universal has sold 18 pictures to the Roxy and Rialto on a joint booking deal contract. "Million Dollar Ransom," first on the deal, opened at the Rialto yesterday and will be followed by "Gift of Gab" at the same house.

New Toronto Theatre

TORONTO, Sept. 18.—Samuel Strashan of Toronto is erecting a 900-seat house at Pape and Floyd Avenues in the East End of the city, to be known as the Cameo. The house, which is scheduled to open in November, will cost $45,000.

"Belle" Sets Shore Mark

ASBURY PARK, Sept. 18.—"Belle of the Nineties" broke all records for the first two days' gross at the Paramount, chalking up $4,400. For the third day the Paramount film took $1,100. Walter Reade intends to hold the Mae West picture for two weeks.

"Servants" to Mayfair

"Servants' Entrance," a Fox film, follows "Charlie Chan in London" at the Mayfair. Other bookings in order are "Loyalties," a Gaumont-British film being handled by Harold Auten, and "Have a Heart," M-G-M release.

Australia's Pictures Drawing Well There

Production in Australia, where two Sydney studios are in work, is not extensive, but the pictures are fairly successful in their own country, according to Arthur W. Kelly, vice-president of United Artists in charge of foreign distribution. Kelly's report on conditions in the Antipodes recently reached the home office here.

Most of the pictures, Kelly continues, are centered around Australian atmosphere with Australian back-country characters. The studios, he finds, are not well-equipped in comparison with Hollywood, however.

Fox May Do 'Uncle Tom'

HOLLYWOOD, Sept. 18.—Fox is considering the production of "Uncle Tom's Cabin" with Shirley Temple in the role of Little Eva, according to report. Some of the studio executives say this is doubtful because the silent version was not a financial success.

Toeplitz Signs Lubitsch

LONDON, Sept. 18.—(By Cable) Ludovico Toeplitz, head of Toeplitz Prod., has signed Ernst Lubitsch to direct one picture. Lubitsch will report to the London studios at the termination of his present Paramount contract.

Delay Filling Hall Job

No successor to Mordaunt Hall, critic of the *New York Times*, will be appointed until after Christmas. Andre Sennwald, who had been assisting Hall up to the time of the latter's resignation, is pinch hitting until a successor is named.

Clifford Opens Studio

Sidney Clifford and Joseph Teichner have opened Eclipse Studios, renting scenery to Warners, RKO and burlesque houses. Clifford for some time was associated with the production end of the film business.

Team Crawford-Powell

HOLLYWOOD, Sept. 18.—Joan Crawford and William Powell will be co-starred in a musical by M-G-M. The story is by Oliver Jeffries and dialogue is by P. J. Wolfson and Joseph Mankiewicz, but no title has been picked.

Purely Personal

NAT LIEBESKIND, ED KUYKENDALL, WALTER VINCENT, DAVE PALFREYMAN, PHIL MEYER, LEO ABRAMS, MAX COHEN, DAVID LOEW, MORT SPRING, HAL ROACH, AL LICHTMAN, HARRY BRANDT, LOUIS PHILLIPS, HOWARD DIETZ, JACK TROP, M. H. HOFFMAN, BUDD ROGERS, HERMAN GLUCKMAN, E. H. GOLDSTEIN, AL FRIEDLANDER, LAURENCE BOLOGNINO, ABE BLUMSTEIN, J. H. HOFFBERG and AL SUCHMAN were among those lunching at the M. P. Club yesterday.

SYDNEY HOWARD, English star, arrives today from the coast, having completed his role in "Transatlantic Merry-Go-Round." He leaves for Europe soon on the *Berengaria*.

MEL HEYMAN of the M-G-M publicity department is the proud daddy of a seven-pound, 11-ounce girl. Mother and baby are doing nicely at the Presbyterian Hospital in Newark.

HELEN HAYES is scheduled to arrive here by plane Saturday morning. She has just finished work in M-G-M's "What Every Woman Knows."

BERT WHEELER is in town. He found it summery enough to wear a light suit strolling down Broadway yesterday.

HAL ROACH didn't leave for Hollywood by plane yesterday as he expected.

HARRY ARTHUR has called off his contemplated trip to St. Louis and the coast.

DICK POWELL is stopping at the Waldorf.

U. A. Board in First Huddle in 3 Years

HOLLYWOOD, Sept. 18.—The United Artists directorate, including Joseph M. Schenck, Mary Pickford, Douglas Fairbanks, Darryl Zanuck, Charlie Chaplin and Samuel Goldwyn, was in a huddle today for the first time in three years to discuss future plans and a dividend payment, which, it is believed, will be a very substantial one.

It was learned that following his next film Chaplin will direct one picture, in which he will not appear.

No statement about the meeting will be given out until tomorrow.

Col. Signs Faversham

HOLLYWOOD, Sept. 18.—William Faversham was signed yesterday by Columbia for the role of "Hampton Booth" in "Orchids and Onions." Carole Lombard, Roger Pryor and May Robson will be in the featured roles.

Wanger Going Abroad

HOLLYWOOD, Sept. 18.—Walter Wanger's third picture for Paramount release will be made in Paris. He will take a complete crew and top notch actors abroad. No title has been chosen as yet.

Buffalo Resumes Oct. 1

BUFFALO, Sept. 18.—Activities of the Buffalo Variety Club will be resumed Oct. 1. Announcement regarding new club quarters is expected shortly. Directors met this week.

Most Issues on Big Board Rise

	High	Low	Close	Net Change	Sales
Eastman Kodak	95	94	94	+1	1,000
Fox Film "A"	11	10	11	+ ⅞	1,500
Loew's, Inc.	27	25⅝	26⅝	+ ¾	2,700
Paramount Publix, cts	4⅜	3⅞	4¼	+ ⅜	39,700
Pathe Exchange	1⅛	1	1	— ⅛	800
Pathe Exchange "A"	11¾	11	11½	+1	800
RKO	2⅛	2	2⅛	+ ⅛	400
Warner Bros.	4½	4	4½	+ ½	5,200

Trans Lux Declines ⅛ on Curb

	High	Low	Close	Net Change	Sales
Technicolor	12	12	12	.....	100
Trans Lux	1⅝	1⅝	1⅝	— ⅛	700

Paramount Publix Bonds Up 2⅜

	High	Low	Close	Net Change	Sales
General Theatre Equipment 6s '40	5¼	5⅛	5¼	— ¼	5
Keith B. F. 6s '46	53½	53½	53½	.....	1
Loew's 6s '41, ww deb rights	102	101¼	101½	+ ½	8
Paramount Broadway 5½s '51	37½	37½	37½	— ⅞	2
Paramount F. L. 6s '47	55	[illegible]	55	+2	32
Paramount Publix 5½s '50	55⅜	[illegible]	55⅜	+2⅜	65
Pathe 7s '37, ww	98	97	97	.....	3
Warner Bros. 6s '39, wd	52	51	51¼	+ ¾	10

That wise showman

ARTHUR MAYER

Managing Director of the

RIALTO THEATRE

"HOUSE OF HITS"

Proves again that he knows a big attraction when he sees it by booking for next week that MUSICOLOSSAL UNIVERSAL PICTURE—

GIFT OF GAB

with

30 BIG STARS

A CAST OF 3,000!

massed **FOR MERRIMENT...**
revelling **FOR GAYETY...**
gathered **FOR RHYTHM!**

NAMES to crowd your marquee...and pack your theatre with happy throngs whose eyes will glisten at "Caravan's" lavish splendors . . . whose ears will tingle to its lilting melodies...whose feet will dance with its rollicking thousands . . . while their pulses quicken to its impulsive romance!

FOX

AN ERIK CHARELL PRODUCTION

CARAVAN

CHARLES BOYER
LORETTA YOUNG
JEAN PARKER
PHILLIPS HOLMES
LOUISE FAZENDA
EUGENE PALLETTE
C. AUBREY SMITH
CHARLEY GRAPEWIN
NOAH BEERY

Executive Producer, Robert T. Kane.
Directed by Erik Charell. Screen Play and
Dialogue, Samson Raphaelson. Continuity
by Robert Liebmann. From a story by Melchior
Lengyel. Music by Werner Richard Heymann.
Lyrics by Gus Kahn.

Para. 6-Month Net Is Put at $3,883,856

(Continued from page 1)

Publix trustees, Charles D. Hilles, Eugene W. Leake and Charles E. Richardson, for allowances of $100,000 each, and of Root, Clark, Buckner & Ballantine, trustees' counsel, for $350,000, drew the bulk of the fire from creditors registering objections at yesterday's hearing.

While counsel for the Paramount bondholders' protective committee, of which Frank A. Vanderlip is chairman, credited the trustees and their counsel with "significant accomplishment in a difficult situation," he advocated that the partial allowances sought by the trustees' counsel be reduced to $250,000 pending completion of their work when, he said, a fair remuneration could be fixed on the basis of final results. The committee's attorney stated that he also regarded the trustees' applications as "too high" but declined to state what amount he believed would be fair to them at this time.

Alfred A. Cook of Cook, Nathan & Lehman, counsel for the Paramount stockholders' protective committee, reflected the same viewpoint in recommending counsel fees of $250,000 and $50,000, or $60,000 each, for the trustees. He also lauded the trustees and counsel for the work accomplished to date. Morton G. Bogue, counsel for the bank group which has filed claims of $13,200,000, urged careful consideration of the fees sought, which he said he believed to be "high."

Lauds Trustees' Work

Stuart K. Brandon, attorney for holders of $1,500,000 of Paramount debentures, lauded the work of the trustees and counsel, declaring that the manner in which insolvent subsidiaries of Paramount had been reorganized, would result in accumulating benefits to the estate in the future. He described the suit brought against Paramount directors by the trustees to recover up to $12,700,000 alleged to have been authorized for repurchase of the company's stock at guaranteed prices for theatre acquisitions as "a most difficult procedure to undertake and one that will ultimately bring a large amount into the Paramount estate."

Objections to the application were registered by Samuel Zirn and Saul E. Rogers, counsel for small bondholders' groups, and by John L. Flynn, counsel for Allied Owners, which has filed a claim against Paramount of more than $12,000,000. Rogers urged that each trustee should be remunerated on the basis of individual work, and that applications for like amounts for trustees should be disregarded. Flynn recommended that the trustees and counsel should be reimbursed now for actual expenses only and that fees should be determined after trustees and counsel had been questioned as to the actual work each had done, and in relation to the past earnings of each.

Zirn made the lengthiest objections, criticizing the trustes for not bringing suit against officers of the company to recover large bonuses paid from 1928 to 1931. He advocated allowances of $70,000 for counsel and $20,000 each to the trustees, indicating, at the same time, that he would carry appeals to the U. S. Circuit Court of Appeals if Joyce, or the U. S. District court, to whom the special master makes his recommendation on the petition, allow fees in excess of these amounts. Zirn was given until Thursday to file a brief listing his objections and the trustees and counsel were given until Monday to file a reply. Joyce is expected to make his report to the district court shortly thereafter.

The petition was argued by Arthur A. Ballentine and Samuel S. Isseks, both of counsel for the trustees. Ballentine reviewed the work of both applicants and cited the financial gains made by Paramount during the bankruptcy in support of the application.

Allied Owners File Reorganization Plan

A reorganization plan was filed in Federal Court, Brooklyn, yesterday by the insolvent Allied Owners Corp., through its attorney, Robert P. Levis, who prophesied the organization would be revamped before Christmas.

The proposal calls for a new contract with Loew's, which agrees to make total payments of $12,875,000 over a period of 15 years for three of the seven houses owned by Allied in Brooklyn in lieu of $10,807,260 which it had earlier agreed to pay in 10 years.

Provision is also made for reduction of the six per cent interest on Allied bonds and debentures to four per cent on the former and three per cent on the latter until June 1, 1938, to be raised after that date to five per cent on the bonds and four per cent on the debentures. The plan further specifies that $490,455 due on loans to New York, Inc., the parent company, be cancelled.

Approval of creditors representing three-fourths of Allied's total indebtedness must be received.

Zukor On Way Tonight

Hollywood, Sept. 18. — Adolph Zukor leaves tomorrow night on his delayed trip to New York, where he will work on the final stages of the Paramount Publix reorganization plan. He said he expected the plan would be ready soon, adding that he was "happy over the progress that has been made under the circumstances of our present operation."

Zukor will return here in early November.

Interested in RCA Tests

Those in the industry here expressed interest yesterday in the experiments of RCA engineers with ultra short waves. They were concerned with their possible use in motion picture making.

Leff Heads Committee

Abe Leff, independent circuit operator in the Bronx, has been appointed chairman of a film committee of 10 by the I. T. O. A. The organization meets again Sept. 26.

Hoffman West Sunday

M. H. Hoffman, president of Liberty, returns to Hollywood by plane on Sunday. He has been here conferring with Budd Rogers on new production plans.

Von Stroheim Hits "Shady" Film Roles

The producers brought the present reform wave on themselves by the portrayal of "shady" characters, according to Erich von Stroheim, actor-director, who is in New York from Hollywood.

"The influence of the 'girl of the street' character, with her jewels and expensive gowns, on the $12 a week department store salesgirl, and the possible ideas it might give the impressionable young girl, is what brought on the whole thing," Von Stroheim said.

"In Hollywood the directors don't know what to do—or what it is all about."

Von Stroheim declares the new censorship system in Hollywood has resulted in "terrific expense" to the producers. While they are now more cautious in shaping their stories, studios have spent thousands of dollars in retakes on pictures shot earlier, he said.

Production of "The Crime of Dr. Crespi," in which Von Stroheim has his first acting part in about two years and which is based on Edgar Allan Poe's "The Premature Burial," is scheduled to start immediately, he says. He will have no part in the direction.

New Group to Open Southern Theatres

(Continued from page 1)

of the Rialto here, is president; N. H. Waters, independent operator of Birmingham, is treasurer, and Ike Katz, independent of Montgomery, is secretary. Directors are Louis Bach, Atlanta; Fred G. Weis, Savannah; Frank Plaginas, Gainesville, Ga.; James Thorington, Birmingham, and M. S. Katz of Montgomery.

The new organization has been under discussion since the formation of the G.F.T.A. several months ago, although the two bodies are separate entities.

Kuykendall to Talk With U. S. Officials

(Continued from page 1)

to file suit against A.S.C.A.P. Assurances have been received from a number of circuits that the one-cent seat levy for a "war chest" will be paid. These circuits include Publix, Fox West Coast and RKO, all of which are either in bankruptcy or receivership. Trustees and receivers must approve funds for the "war chest" before payments can be made.

Canadian Auditors On Loew's, Toronto

(Continued from page 1)

agreement reached at a special meeting of directors and shareholders last July.

For the year previous to the present period, the Loew houses here earned $13.47 on each preferred share and $5.64 on the common, but no dividends were paid on either stock and this was one of the matters up for discussion at the special meeting.

Yom Kippur Observed

Sundown, yesterday, ushered in Yom Kippur, day of atonement for the Jews. Last night Kol Nidre services were held in synagogues all over the world.

RKO to Keep Five Houses In New Deal

(Continued from page 1)

Loew's is turning over all of Fox, half of Columbia and Universal to RKO where the latter's takeovers do not conflict.

RKO spent $20,000 remodeling and repairing the Apollo and Hollywood and attempts to settle one-year leases with Meyer & Schneider have fallen through. M. & S. wanted in the neighborhood of $160,000 to settle while RKO offered $100,000 less. RKO will continue to operate until the leases expire, Sept. 1, 1935.

Original reports had it that Skouras would take over the Embassy, Port Chester, and Alden, Jamaica, while Skouras would get the Fortway, Brooklyn. These deals are now off and RKO will continue operation.

Loew's has taken the attitude it does not want to hurt RKO by insisting that these houses be dropped under impossible conditions. But by the same token, RKO will not get any of Fox, Columbia or Universal product for these situations.

Meetings between Loew's and RKO executives are expected to be concluded by the end of the week. No contracts will be signed by either party, Loew's turning over films of the three companies upon availability.

S. R. Kent of Fox, Jack Cohn of Columbia and James R. Grainger must approve the product switches before any dates are set in RKO houses. This is virtually agreed upon, it is understood. On Universal and Columbia pictures, Loew's will have first selection.

Operators in Cincy Sign for Two Years

(Continued from page 1)

a 40-hour week with one man in the booth. However, the contract provides for an increase of $2.50 weekly per man in all classifications during the second year.

Approximately 20 houses are employing operators from a rival organization known as the Projectionists' Union of America, said to be sponsored by Cincinnati interests.

Montana, Oklahoma Grosses $5,945,000

(Continued from page 1)

payrolls of $176,000. All told, there were 84 houses, taking in $1,536,000 and paying wages of $313,000.

Film and vaudefilm theatres in Oklahoma numbered 254, reporting receipts of $4,409,000 and payroll expenditures of $843,000. There were 15 film theatres in Oklahoma City which took in $635,000 and had a payroll of $123,000.

"Peck's Boy" for Roxy

"Peck's Bad Boy" will go into the Roxy either Sept. 28 or Oct. 5, depending on whether or not "Chu Chin Chow" is held a second week.

Pettijohn Back Oct. 10

Charles C. Pettijohn of the Hays office returns from a trip to the coast and various key points on Oct. 10.

IN-TRA-DU-CING!

The Biggest Event in Show Business

THE VARIETY CLUB

6th ANNUAL BANQUET

(Our First National Banquet)

WM. PENN HOTEL . . . PITTSBURGH

SUNDAY NIGHT, OCT. 14 1934

COMPRISING Variety clubs of Pittsburgh . . . Columbus . . . Cincinnati . . . St. Louis . . . Detroit . . . Cleveland . . . Buffalo . . . Albany . . . Kansas City . . . Indianapolis and Washington . . . and friends from Chicago . . . Philadelphia Milwaukee . . . Boston . . . California and New York.

HARRY GOLDSTEIN

PRESENTED IN HONOR OF RETIRING CHIEF BARKERS . . . HARRY GOLDSTEIN OF PARAMOUNT, AND HARRY KALMINE OF WARNERS AND ASSOCIATE OFFICERS!

Note: A Paramount and Warner feature on a DOUBLE BILL . . . either attraction worthy of a single booking . . . BUT NO TWO-FOR-ONES!

HARRY KALMINE

World's Greatest Show—40 Big Acts

VARIETY & VARIETY . . . COMBINED CIRCUS

Make it a real week-end
PITT *vs.* CALIFORNIA
Football game Sat., Oct. 13th . . . and banquet the next night!

WRITE FOR RESERVATIONS IMMEDIATELY

To Secretary Variety Club Banquet, Room 106 Wm. Penn Hotel, Pittsburgh, Pa. We will also make your football reservation for you . . . Banquet $10 per ticket; Football $4.95 down.

Expect Return Of Three Zone Plans to K. C.

(Continued from page 1)

gives first runs from 60 to 90 days additional clearance over subsequents dualling a feature shown as a first run single, and cuts first runs' clearance in half if they dual a feature run as a single at subsequents.

It is expected the Wichita and St. Joseph schedules will be sent back for revamping for the same reason, since both include 30-day penalties for dualling.

Clearance penalties for dualling have been the established custom in this territory since the practice became widespread. It is noteworthy that while the new setup increases the penalties in Kansas City over previous years, exhibitors say they are satisfied with the plan and are not appealing on that score.

In many respects the schedules adopted by the Kansas City board are in line with the new principles. Clearance is based on price, and maximum periods of clearance are established between the various run classifications.

The sentiment of Campi's recent resolution declaring clearances as established by local boards supersede contract arrangements was given to the Kansas City board last July. In response to a query, Campi at that time rendered the opinion that clearances set up by the local board would supersede any franchise agreements between distributor and exhibitor.

Campi Rules Upon Seven Appeal Cases

Decisions in four grievance and three clearance appeals were made public yesterday by Campi.

Grievance appeals adjudicated were as follows:

Pikeville Amusement Co., Pikeville, Ky., against Liberty Theatre, same town, charging overbuying. Decided in favor of complainant.

Rialto, Jacksonville, Tex., against Palace and Dorbandt, same city, charging overbuying. Defendants upheld.

Colorado, Pasadena, Cal., against United West Coast Theatres Corp., United Artists Theatres and Fox West Coast, charging overbuying. Determination of the Los Angeles board in favor of the respondent reversed and case remanded for further proceedings.

Family and Ritz, LaGrange, Ga., against LaGrange, same town, charging overbuying. Complainant upheld.

Decisions were handed down in the following cases:

Ambassador,, Philadelphia, against the Benn, same city, asking relief on zoning. Philadelphia board ordered to re-zone territory affected.

Orpheum, Saugerties, N. Y., against Walter Reade's Kingston and Broadway theatres, Kingston, N. Y., charging unreasonable clearance for Kingston over Saugerties. Kingston given 14 days' clearance over Saugerties provided first run exhibition is completed in the former within 30 days after the general release date of pictures involved in the exchange territory of the distributors serving the respondent.

Astor, Atlantic City, N. J., against Colonial, same city, charging unfair clearance. Reduction of clearance from 14 to seven days affirmed.

Compliance Ordered By Milwaukee Board

Milwaukee, Sept. 18.—Albert Nichols, operator of the Ace, has been given until Oct. 2 to comply with an order of the grievance board to stop admitting children for five cents.

Nichols defended his failure to comply with the order by pointing out that several other houses in his zone admit children for five cents. The case was heard in August and the original cease and desist order was issued Aug. 27. Atanasoff Brothers, operators of the World, were the complainants.

MOTION PICTURE DAILY'S HOLLYWOOD PREVIEW

"Love Time"

(Fox)

Hollywood, Sept. 18.—Music lovers will find considerable enjoyment and interest in this page from Franz Schubert's life. In a brief interlude between musical compositions, the renowned composer is seen as a passionate lover. However, during his love episode the picture finds him brooding over his amorous adventures to the extent that he does not write. The famous "Schubert Serenade" is heard several times and its beautiful strains are tuned nicely to the action. Then there is "Who Is Sylvia?" an enchanting piece which is never finished.

Interpreting the role of Schubert is Nils Asther, who meets Pat Paterson at his chalet near Vienna. The acquaintanceship ripens into a love match, the tie of which is broken when the penniless musician leaves the place to get out of a bargain he has made to take Miss Paterson to Vienna. While hunger hounds Schubert, Miss Paterson is being hounded by the emperor's guard, which has come to restore her to her father, Henry B. Walthall, the duke.

The heroine escapes, meets Harry Green, Herbert Mundin and James Burke, three hobo musicians, on the road to Vienna and she joins the party. In Vienna she meets her composer-lover again by chance, nurses him through illness and ultimately brings him to the attention of royalty.

Finding his efforts to thwart the marriage unsuccessful, Walthall finally gives in and the lovers are reunited.

Exhibitors have a plethora of exploitation ideas to work on to get "Love Time" over at the box-office.

Code seal No. 230. Running time, 74 minutes.

Looking 'Em Over

"Mass Struggle"

(Kinematrade)

Made by Ukrainfilm of Odessa, this production is too obsessed with its message of brotherhood and fair play to have any great worth as popular diversion. It is a powerful and brutal tale of human oppression told with a holy zeal that deserves respect. Had the producers been more concerned with art and less with what they had to say, "Mass Struggle" would have come closer to being entertainment. While its story is sprawling and awkwardly developed, it possesses a certain exciting quality and considerable movement.

The film tells of the degradation of the serfs in the Ukraine of the 18th Century and their uprising against their masters. While the forces of oppression are victorious, they cannot kill in the peasants the hope that some day they shall win their struggle to free themselves.

The recording is poor in spots and the photography harsh when the camera stays indoors. The outdoor scenes, however, are at times impressive. The parts are well taken, especially by Les Serdiuk, D. Antonovitch, D. Shkliarski, I. Marianenko and Paulina Piatko. Ivan Kavaleridze directed. Running time, 80 minutes.

Willentz Takes His Newark Case to NRA

(Continued from page 1)

upon by the New York grievance board and the opinion of the committee was upheld.

A Campi appeal committee then heard the protest and decided that the decisions of the local code board should be affirmed. Not satisfied with the rulings, Willentz has appealed to the NRA.

Rosenblatt in Cincy Talk

Cincinnati, Sept. 18 — Division Administrator Sol A. Rosenblatt addressed the National Ass'n of Broadcasters' convention today on coordinating American amusement industries and radio advertising. J. Truman Ward of WLAC, Nashville, was elected president, succeeding Albert McCosker of WOR, Newark.

Rosenblatt Due in Capital

Washington, Sept. 18.—Division Administrator Sol A. Rosenblatt returns tomorrow from Cincinnati.

Plan Sisk Farewell

Radio associates of Robert F. Sisk are planning a farewell dinner for him at the St. Moritz, Sept. 28, prior to his departure for the coast to become assistant to J. R. McDonough.

1st Division Plans 12 with Pathe Backing

(Continued from page 1)

foreign market with its own representatives are now being discussed.

Production plans for the near future call for four specials and eight features with Pathe financing, it is understood. Stories for a start of production in Hollywood are being discussed with a decision expected in the near future.

Ludington is head of the Ludington Air Lines, a stockholder in TWA and Curtis Publishing Co. He makes his home at Ardmore, Pa., and comes to New York for occasional visits. Fiske, 3rd., is the son of William Fiske, 2nd, who is in charge of the Paris office for Dillon, Read & Co., financial house. Ludington is 32 and Fiske is 28. Both are prominent in society circles.

About $500,000 is involved in the new expansion and production plans of First Division. Stockholders who sold their interests are understood to have been paid off yesterday. The amount was not disclosed.

Harry Thomas, who did not sell his stock, will continue as head of the company, and the international sales organization will be developed as rapidly as possible under his jurisdiction.

First Division now operates exchanges at Louisville, Cleveland, Cincinnati, Pittsburgh, Detroit, Buffalo, Albany, Philadelphia, Boston, Washington and New York.

Marie Shotwell Dead

Marie Shotwell, stage and screen player, died yesterday of cerebral hemorrhage in St. John's Hospital, Long Island City, after collapsing while at work at the Eastern Service Studios. Services will be held tonight at the Campbell Funeral Church.

Charles Bohny Passes

Los Angeles, Sept. 18.—Charles R. Bohny, father of Billie Dove, died her yesterday. Surviving him, besides Miss Dove, are a son, Charles R. Bohny, Jr., a cameraman, and his widow, Mrs. Bertha Bohny.

Eddy Funeral Today

Wesley Eddy, master of ceremonies, who killed himself Sunday, will be buried in St. Michael's Cemetery, Stratford, Conn., today.

"Nell Gwyn" in London

London, Sept. 18.—"Nell Gwyn," which was shown privately in New York some time ago, had its London premiere today at the Leicester Square.

Mae West Film to Para.

"Belle of the Nineties" opens at the Paramount on Friday, following "She Loves Me Not," which closes after two weeks.

Adler Forms Exchange

Lester W. Adler has organized Advance Film Exchange. Emil Rosenbaum will be associated with him.

The Leading
Daily
Newspaper
of the
Motion
Picture
Industry

MOTION PICTURE DAILY

Alert,
Intelligent
and
Faithful
Service to
the Industry
in All
Branches

VOL. 36. NO. 68 NEW YORK, THURSDAY, SEPTEMBER 20, 1934 TEN CENTS

K. C. Houses In Row Over Ads, Critics

Journal-Post Reviewer Is Barred by Two

KANSAS CITY, Sept. 19.—Rapidly moving to a showdown, the controversy between local first runs and the *Kansas City Journal-Post* over demanded rate reductions and charges of unfair reviewing this week reached a climax when managers of the RKO Mainstreet and the Publix Newman informed the paper's critic he would be barred from weekly newspaper screenings in the future.

Lowell Lawrance, *Journal-Post* critic, countered with the charge the managers' action was an attempt to "chasten and inconvenience" him. He said he would gain admittance to the theatres by buying a ticket at the box-office, and being barred from press

(Continued on page 2)

Film Ads Pay Top Newspaper Charges

Film and theatre interests pay an average of six cents per agate line more than other newspaper advertisers to bring their wares before the public, a survey by *Motion Picture Herald* discloses.

In some instances rates for film ads are as much as 100 per cent higher than those charged others, it was revealed in the study, which covered

(Continued on page 11)

British Censorings Up to 160 for July

WASHINGTON, Sept. 19. — During July the British Board of Censors passed 160 films, according to a report to the U. S. Department of Commerce. In July, 1933, only 135 were passed.

Of the films passed in July, 1934, 112 were longer than 3,000 feet and 48 shorter.

Closed for Summer

Columbus, Sept. 19.—Despite the fact that the auditorium and entire interior of the building were gutted by a $150,000 fire recently, and regardless of arrival of the fall season, the marquee on the Grand, downtown house, bears a sign reading: "Closed for the Summer."

Foreign Exchange Gains For Majors $8,350,000

Seven companies engaged in large-scale international distribution were benefited by favorable foreign exchange rates to the extent of $8,350,000 during the 18 months ended June 30, according to estimates obtained yesterday.

The companies and the estimated amounts in which each was benefited are: Columbia, $560,000; Fox, $1,600,000; M-G-M, $2,100,000; Paramount, $1,500,000; United Artists, $870,000; Universal, $720,000; Warners, $1,000,000.

No Assessment Looked for on Para.'s Stock

No assessment on Paramount Publix common stock is proposed in the tentative plan of reorganization for the company, which, according to indications yesterday, may be ready for submission to the Federal District Court here within the next two weeks.

Advance indications were that an assessment on the common could not be averted and some reorganization factors held recently that the assessment might run from $1.50 to $2 per share to provide funds with which to meet maturing bank obligations. The tentative reorganization plan, now nearing its final stages, provides, instead, for a new convertible security in the total amount of about $6,000,000 to which shareholders may subscribe voluntarily. It is anticipated

(Continued on page 11)

Business on Upgrade In Capital, Glasser

Business conditions in Washington are encouraging, Nat Glasser, Warner theatre district manager in the Capital, stated this week prior to his departure for home. He came to New York to attend the general meeting Saturday of all presidents of Warner Clubs. Glass recently was named head of the Washington branch.

Even the small towns are showing

(Continued on page 11)

$3,912,000 Grossed By Georgia Houses

WASHINGTON, Sept. 19.—Gross receipts of $3,912,000 were reported for last year by 147 film theatres in Georgia, according to figures made public tonight by the U. S. Census Bureau.

The total payroll of the houses was

(Continued on page 11)

B. & K. Set to Tip Scales on Selected Trio

CHICAGO, Sept. 19.—Regardless of whether other exhibitors go through with the plan, B. & K. is definitely set to boost admissions five cents on at least three pictures from every major distributor next season. The advance is only on pictures bought on selective contracts.

According to the plan, B. & K. houses now charging 20 cents will be hiked to 25 cents, those charging 25 cents will be increased to 30 cents, until the 40-cent scale is reached. The circuit will not boost the 40-cent scale because it is figured the additional nickel will have to go to the government as tax.

The 25-cent low scale goes into effect either with "Belle of the Nineties" or "One Night of Love,"

(Continued on page 11)

SMPE Roll Reaches Record High of 850

Membership in the S. M. P. E. has reached a new high of 850 members, according to O. M. Glunt, financial vice-president. The increase during the past year has been more than 300. Glunt says better business conditions and cuts in dues have helped.

The semi-annual meeting of the society is to be held at the Pennsylvania Hotel from Oct. 29 through Nov. 1. The banquet falls on Hallowe'en.

Reinhardt Spectacle Hollywood Sensation

HOLLYWOOD, Sept. 19.—Max Reinhardt created a sensation among Hollywood showmen with his premiere presentation of "Midsummer Night's Dream." The audience included most of the civic and social leaders hereabouts and filled the Hollywood Bowl

(Continued on page 11)

Code Assents Extension to Force Change

Amendment Also Needed On Amateur Ruling

WASHINGTON, Sept. 19.—Further extension of the assent period will require an amendment to the code, as will Division Administrator Sol A. Rosenblatt's recent interpretation with respect to payment of amateur performers if it is to be effective, it was learned today at the National Recovery Administration.

It is understood formal action of this nature is required with respect to assents because of limitations in the code, while it is necessary with regard to the amateur interpretation because one of the boards is understood to have refused to approve it on the ground that there was no mention of amateurs in the agreement.

Amendment will be purely a formal affair, says Rosenblatt, and will not require a hearing.

A public hearing on recommendations of the agency committee will probably be called next week, Rosenblatt states. No details of the recommendations have been made public as yet.

GFTA Carries Board Row to Rosenblatt

ATLANTA, Sept. 19.—Ike Katz, president of the G. F. T. A. Independent Theatres' Ass'n., with Sam Borisky, N. H. Waters and Louie Bach, members of the board of directors, is to confer in Washington on Friday with Division Administrator Sol A. Rosenblatt on their protest against

(Continued on page 6)

Pettijohn Is Honor Guest in Portland

PORTLAND, Sept. 19.—C. C. Pettijohn, observing his 20th anniversary in the film business, addressed a group attending a luncheon in his honor here

(Continued on page 2)

Poe to Get Credit

Hollywood, Sept. 19.—After much discussion, Mike Simmons has agreed to let Edgar Allan Poe share screen credit with him in the adaptation of the former's "Raven," to be produced by Universal.

MOTION PICTURE DAILY
(Registered U. S. Patent Office)

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Roach, Smith at Ampa

Hal Roach and Pete Smith, who got in from the coast yesterday, will be guests of honor at today's Ampa meeting at the M. P. Club at which Howard Dietz will be guest chairman. Among the entertainers will be Stuart Erwin, June Collyer, Charles Winninger, Charles McManus, Myron Damon and Molasses and January. Tonight will be "Ampa Night" at the Criterion, where Mascot's "Young and Beautiful," in which the Wampas "baby stars" appear, is the attraction.

Rites for Miss Shotwell

Funeral services for Marie Shotwell well be held this evening at 7 o'clock at the Campbell Funeral Church. Burial will be at Westerly, R. I. Miss Shotwell, a well known stage actress, who had appeared in many films, died Tuesday afternoon at St. John's Hospital, Long Island City. She was stricken with a heart attack while at work in the Eastern Service Studios.

Louis Rudolph Passes

CHICAGO, Sept. 19.—Louis Rudolph, owner of the Emmett and a director of Allied Theatres of Illinois, has passed away at Mt. Sinai Hospital following a siege of pneumonia.

'Chow' Opens Tomorrow

Gaumont British's "Chu Chin Chow" opens at the Roxy tomorrow for a two-week run.

K. C. Houses In Row Over Ads, Critics

(*Continued from page* 1)

screenings will not deter him from reviewing pictures "from an unprejudiced standpoint and the standpoint of the discriminating moviegoer."

The only first run where Lawrance is permitted to sit in at press showings is Loew's Midland. The Tower and Uptown are not *Journal-Post* advertisers and Lawrance some time ago began reviewing attractions at these theatres on the opening day, paying his way like any other patron.

Managers of the Newman and Mainstreet took the step following the appearance of what they considered damaging reviews and comment in the last two weeks. They say the dispute has its basis in a demand for lower advertising rates.

Of several weeks' standing, the controversy was intensified recently when the three first runs using the *Journal-Post* curtailed their space when the rate cut was denied.

Pettijohn Is Honor Guest in Portland

(*Continued from page* 1)

today. He gave closeups of the working of the Hays organization and predicted greater harmony between various branches of the industry for the future.

Among the diners were exchange managers, salesmen, exhibitors and civic leaders.

Floyd Maxwell and Mrs. Maxwell were hosts at an evening banquet in Pettijohn's honor.

Morgan in 'Sweet Music'

HOLLYWOOD, Sept. 19.—Helen Morgan has definitely been chosen by Warners for the feminine lead opposite Rudy Vallee in "Sweet Music," which goes into production Oct. 1.

Omaha Film Men to Golf

OMAHA, Sept. 19.—Film exchange managers, exhibitors and salesmen hold a stag golf meet at the Happy Hollow Club here Friday.

Run West 23½ Hours

Kansas City, Sept. 19.—Mae West's "Belle of the Nineties" will be introduced to Kansas City with a continuous showing of 23½ hours at the Publix Newman, starting at midnight Thursday and running through to Friday night.

George Baker, manager of the Newman, said he tried the stunt about four years ago with "Cimmaron," and despite increased overhead it paid for itself and proved good publicity.

Zanuck Busy After Four-Month Layoff

HOLLYWOOD, Sept. 19.—Ending four months of idleness, Darryl Zanuck has launched the second year of 20th Century Pictures with production starting on "The Mighty Barnum," starring Wallace Beery with Walter Lang directing.

Four other stories have also been set for production before the new year. They are: "Call of the Wild," starring Fredric March; "Clive of India," starring Ronald Colman; "The Red Cat," now being adapted by Bess Meredyth and Hal Long from the musical by Hans Adler and Rudolph Lothar; "Cardinal Richelieu," starring George Arliss.

Exploiting New Dance

Leon J. Bamberger, Radio exploitation head, is trying to popularize the "Continental," a dance featured in "The Gay Divorcee," just as he did the "Carioca" in "Flying Down to Rio." As a first step he has sent letters, together with a description of the dance, to owners of public dance halls and members of the Dance Masters Ass'n. of America asking them to foster it.

Cantor, Goldwyn Delay

HOLLYWOOD, Sept. 19.—Eddie Cantor and Samuel Goldwyn are marking time until the preview of "Kid Millions" next week, before leaving for New York.

Cantor's date to go on the ether has been definitely set for Oct. 7, which allows him little time for his planned European trip.

Warner Pfd. Off One on Big Board

	High	Low	Close	Net Change	Sales
Columbia Pictures, vtc	31¾	31¼	31¾	+1	200
Consolidated Film Industries	2⅝	2⅝	2⅝	.....	100
Consolidated Film Industries, pfd	12⅛	12	12	.....	400
Eastman Kodak	95	94½	94½	+ ½	400
Fox Film "A"	11¾	11	11¾	+ ¾	600
Loew's, Inc.	27⅜	26½	26⅞	+ ¼	3,500
Paramount Publix, cts	4⅜	4⅛	4¼	.....	9,400
Pathe Exchange	1⅛	1	1	.....	700
Pathe Exchange "A"	12⅜	11¾	12⅜	+ ⅞	1,000
RKO	2¼	2⅛	2⅛	.....	300
Warner Bros.	4½	4⅜	4½	.....	800
Warner Bros., pfd	16	16	16	—1	100

Trans Lux Only Curb Stock

	High	Low	Close	Net Change	Sales
Trans Lux	1⅞	1⅞	1⅞	+ ¼	100

G. T. E. Bonds Advance ¼ Point

	High	Low	Close	Net Change	Sales
General Theatre Equipment 6s '40	5½	5⅛	5⅛	+ ¼	4
Keith B. F. 6s '46	52½	52½	52½	—1	1
Loew's 6s '41, ww deb rights	102¼	101½	102	+ ½	9
Paramount Broadway 5½s '51	38	38	38	+ ½	3
Paramount F. L. 6s '47	55½	54½	54½	— ½	26
Paramount Publix 5½s '50	55¾	55	55	— ⅜	40

◂ *Purely Personal* ▸

NOVA PILBEAM, Gaumont British child star, sails from England for this country on Saturday aboard the *Aquitania,* accompanied by her mother. A fellow passenger will be MICHAEL BALCON, production head of the company.

J. O. and MAX LIEF's "Two for Tonight," an unproduced play, has been acquired by Paramount. It will be made as a musical with BING CROSBY, JACK OAKIE, QUEENIE SMITH, ROSCOE KARNS and MARIAN MANSFIELD among the players.

RAYMOND MIDGLEY will direct the dance sequences for the HAROLD B. FRANKLIN production, "Gambling," now being filmed at Eastern Service Studios.

MERVYN LEROY is expected in New York when he finishes directing "Sweet Adeline" on the coast. It will be a combined business and pleasure trip.

PHILLIPS HOLMES arrives in town tomorrow on the Century. He is on his way to England for a picture or two, and will sail on the *Berengaria.*

HELEN HUNT JACKSON's "Ramona" has been purchased by Fox from EDWIN CAREWE for filming in English and Spanish.

AL SELIG is back from a trip to Boston and Rochester where he handled special exploitation on "Count of Monte Cristo."

LOUIS NIZER will be tendered a dinner at the M. P. Club on Oct. 1. It's in celebration of his homecoming from abroad.

SAM CUMMINS is in Rome. He writes most of the theatres there are closed for the summer because of the heat.

GEORGE SKOURAS says the boys are treating him a little rough these days. He won't elaborate on the statement.

ROBERT J. FLAHERTY, who directed "Man of Aran" for Gaumont British, arrives in town tomorrow.

MONTAGUE LOVE leaves the coast on Saturday. He will do some stage work in the east before he returns west.

JOEL SWENSON has switched residences from Old Greenwich, Conn., to New York.

WALTER VINCENT is due back in his office Monday from a two weeks' business trip.

JEANNE AUBERT starts work today at the Vitaphone plant in Brooklyn in a two-reel musical.

DONALD SAWYER has been signed to do dance routines for Vitaphone shorts.

WARREN DRAKE returns early next week from a western business trip.

TOM WALLER has joined Paramount's publicity department.

Special Cars to Affair

PITTSBURGH, Sept. 19.—Arrangements are being made by the local Variety Club for special cars to transport the New York delegation to its banquet, which will be held on Oct. 14. More than 50 film and theatre executives are reported already to have accepted invitations.

An open letter to
DAVID LOEW

of Loew's Theatres, Inc., 1540 Broadway, New York City:

Universal appreciates sincerely your telephone message of Tuesday, September 16, to our Mr. J. R. Grainger, in which you expressed your high opinion of the box-office possibilities of our picture, "GIFT OF GAB." We intend to follow your suggestions in the matter of exploitation, and we are happy to learn that you have instructed your managers to get behind it. We feel, too, that "GIFT OF GAB" has every element of down-to-earth entertainment and, if properly exploited, will show exceptional box-office returns.

FROM COAST TO COAST

IN SEATTLE

Mopping up at Music Hall, topping previous week of a big opposition special.

IN PORTLAND

"'British Agent' big... gaining b. o. altitude at the Broadway," chirps Variety.

IN OMAHA

"Wham biz! Looks like a cinch for another record week," raves trade press.

I'M CLEANING UP W

WARNER BROS.' DRAMATIC SUCCESS STAR

ACE SHOWMEN BOAST-

IN
BOSTON
"Aces at the Met!" first week-end beat first 3 days of 'Dames' by exactly $342.

IN
NEW YORK
Opens this week for indefinite run at the Strand, following record campaign.

IN
CHICAGO
Variety figures show 'British Agent' topped the town at the Chicago Theatre.

IN
CINCINNATI
"Kay Francis and Leslie Howard the biz bringers for fast gross at Keith's"
—Variety.

IN
WASHINGTON
'British Agent' outgrossed 'Here Comes The Navy' in season's worst weather.

ITH 'BRITISH AGENT'

RING KAY FRANCIS AND LESLIE HOWARD

itagraph, Inc., Distributors

Dubinsky Asks Code Aid on House Lease

Kansas City, Sept. 19.—Alleging interference with negotiations to purchase the Jefferson and Miller in Jefferson City, Mo., which they are now operating, Dubinsky Bros. Theatres have asked the local grievance board to void a lease to the properties given by W. H. Mueller, the owner, to Harry Sodini of St. Louis.

A complaint filed by Barney Dubinsky, city manager in Jefferson City, states before the circuit had an opportunity to complete purchase negotiations, Sodini and another St. Louisan named Joe Levy persuaded the landlord to lease the two theatres to Sodini.

Dubinsky charges Sodini is a promoter and is willing to assign his lease to the present operators at a profit. He alleges Sodini's interference was unfair and unless the lease is voided the Dubinskys will be obliged to erect new theatres, which will overseat the town.

In support of their prior claim to the properties, the Dubinskys point out they obtained an extension of an original five-year lease in 1931 and that they will have operated the theatres 10 years when present leases expire Jan. 30, 1936.

Board in Cleveland Ends Toledo Passes

Cleveland, Sept. 19.—"Managers' Treat" passes were ordered stopped today by the grievance board in settling a complaint brought by the LaGrange Theatres, Inc., Toledo, against Saul Silverman, Savoy, Toledo.

The overbuying complaint of Alden Seitz Amusement Co., State Theatre, Sandusky, O., against Warners' Ohio and Plaza, also in Sandusky, was dismissed. This is the first overbuying complaint heard here.

GFTA Carries Board Row to Rosenblatt

(*Continued from page 1*)

presence of Nat Williams and Oscar Lam on code boards here.

Williams is unaffiliated member of the grievance board and Lam is unaffiliated member of the clearance and zoning board.

Telegraphic protests to John Flinn, secretary of Code Authority, have been made in recent weeks. G. F. T. A. members insist that Williams and Lam are affiliated indirectly with Lucas & Jenkins, and that Lucas & Jenkins are allied with Publix.

GFTA Meets Oct. 1-2

Atlanta, Sept. 19.—A two-day convention of the G. F. T. A. Independent Theatres' Ass'n. is to be held at the Robert Fulton Hotel here Oct. 1 and 2. Sidney Samuelson, Allied president, is to be one of the principal speakers.

Loses Clearance Protest

Albany, Sept. 19.—Louis Cappa, operator of the Regent, has lost his protest against the seven day clearance over his house held by Harry Hellman's Royal. The clearance and zoning board decided the present arrangement is fair.

Variety Club Chatter

Washington

Washington, Sept. 19.—The fall season for Variety Club started when Tent No. 11 resumed its weekly luncheons, Harry Hunter and Sam Wheeler acting as kings-for-the-day.

More than 100 were present. Entertainment was furnished by Edgar Bergen, ventriloquist, and Ted Lewis.

Of particular interest to barkers was the first issue of *Variety News*, purporting to give all the news and reports of the officers of the tent.

Owing to the inability of Frank Durkee and Walter Pacy to serve as kings-for-a-day on Sept. 24, George Crouch and Nat Glasser have been named to serve on that date. The Durkee-Pacy combine will officiate Oct. 1.

Kings-for-a-day for succeeding luncheons are to be as follows: Oct. 8—Herman Blum and J. A. Burns; Oct. 15—Joe Morgan and Hardie Meakin; Oct. 22—Charles Schulman and Arthur DeTitta; Oct. 29—C. H. Olive and Sidney Lust; Nov. 5—Eddie Heiber and Robert Folliard; Nov. 12—Fulton Brylawski and Robert Smeltzer; Nov. 19—Isador Rapport and Lawrence Schanberger; Nov. 26—Joseph Makover; Dec. 3—Orangelo J. Ratto and Harold Weinberger; Dec. 10—Morris Simon and William B. Wolf; Dec. 17—W. E. S. Wilcox and Frank Scully.

Delay Decision in Kansas Buying Case

Kansas City, Sept. 19.—One of the major cases up for determination by the local grievance board is an overbuying complaint in which J. E. Whitten of the Gem, Neodesha, Kan., charges his competitor, Glen Klock of the Klock Theatre, with contracting for an excess number of pictures.

The board has considered the charges and has postponed decision until Thursday pending receipt of specific information from both parties as to the number of pictures they have under contract.

Whitten charges his competitor has contracted for the entire output of eight major companies and the bulk of independent pictures. Co-respondents are Fox, M-G-M, Warner, First National, Paramount, Universal, Radio and Columbia.

Warner Wins 3 Cases

Washington, Sept. 19.—Warner Bros. Circuit Management Corp. has won three grievance cases before the local board. Two complaints involved premature advertising. One had been filed in behalf of the Stanley, Pittsburgh, against the Roxy, Natrona, Pa., the other in behalf of the Harris, Tarentum, Pa., against the same respondent. The other complaint had been brought against the New Arnold, Arnold, Pa., in behalf of the Liberty, New Kensington, Pa. Reducing admission through the sale of script books was charged.

Block Lauds Moore Film

Pittsburgh, Sept. 19.—One of the greatest breaks for a picture around here in years was a signed editorial by Paul Block, publisher of the *Pittsburgh Post-Gazette*, personally endorsing "One Night of Love" under a headline reading "A Great Picture and A Clean One." In addition to the *Post-Gazette*, the editorial, lauding the Grace Moore film to the skies, was carried in all the other Block papers.

West Shore Bankrupt

West Shore Theatres, Inc., former operator of the Orpheum, Kingston, N. Y., filed a voluntary petition in bankruptcy in Federal District Court at Brooklyn yesterday listing liabilities of $21,928, and no assets.

Son of Louis Marks Becomes Exhibitor

Chicago, Sept. 19.—A new generation of the Marks family, Jerome Marks, son of Louis Marks, has entered the theatre operating business here as manager and one of the incorporators of the Rio. His father, with Meyer Marks, operated the Marbro, Granada and other local houses until most of these were taken by B. & K.

The Rio, formerly the Logan Square, was opened recently following rejuvenation of the house at a cost of $30,000 by Dave Dubin. It has been taken over by a corporation consisting of Marks, Jacob Kahn, Harry Solomon and Irving Sevin.

"U" Writers Busy

Hollywood, Sept. 19.—Story assignments at Universal have Leonard Fields and David Silverstein doing a treatment on "She Married a Million," a Polan Banks yarn, which Fields will direct; George Waggner assigned to pen the script of his original, which Lou Ostrow recently purchased, and Adele Buffington doing an adaptation of "Lady Tubbs," original novel by Homer Croy.

"U" Delays "Reclaimed"

Hollywood, Sept. 19.—Production has been shoved forward another week on Universal's "Man Who Reclaimed His Head," with the studio still looking for a leading lady. The film was slated to go into work last Monday. Claude Rains has the top spot.

Gulick to Broadcast

Paul Gulick, publicity director of Universal and editor of *Universal Weekly*, has been signed by Stylset to broadcast on "The Human Side of Moving Picture Stars." The first broadcast will be Sunday and the subject will be Binnie Barnes.

P. J. Wood Taking Cure

Columbus, Sept. 19.—P. J. Wood, secretary of the I. T. O. Ohio, is maintaining temporary headquarters at Magnetic Springs, near here, where he has gone to recuperate from an affliction of his back.

Indianapolis Tips $8,000 to Mae West

Indianapolis, Sept. 19.—"Belle of the Nineties," Mae West's much discussed opus, grabbed the biggest gross in town by far last week. The take at the Indiana was $8,000.

"Hat, Coat and Glove" was good for a fine $6,000 at the Lyric.

Total first run business was $25,500. Average is $16,500.

Estimated takings for the week ending Sept. 15:

"WORLD MOVES ON" (Fox)
APOLLO—(1,100), 25c-40c, 7 days. **Gross:** $2,500. (Average, $2,500.)

"NOW AND FOREVER" (Para.)
CIRCLE—(2,800), 25c-40c, 2nd week, 7 days. **Gross:** $4,000. (Average, $4,000.)

"BELLE OF THE NINETIES" (Para.)
INDIANA—(3,133), 25c-40c, 7 days. **Gross:** $8,500.

"HAT, COAT AND GLOVE" (Radio)
LYRIC—(2,000), 25c-40c, 7days. Stage show. **Gross:** $6,000. (Average, $4,000.)

"CHAINED" (M-G-M)
PALACE—(3,000), 25c-40c, 7 days. **Gross:** $4,500. (Average, $4,500.)

Approved Lists Are Now Used in Buffalo

Buffalo, Sept. 19.—Monthly and weekly lists of approved pictures, rated as to family and adult suitability, are being issued by Dr. Edward S. Schwegler, diocesan director of the Legion of Decency in the Buffalo diocese. The monthly list is for second run and neighborhood theatres; the weekly list for first run houses. Disapproved films are ignored, so that the lists amount to a virtual endorsement of the pictures mentioned.

With a present membership of 25,000, the Buffalo Legion of Decency may be expected to reach 50,000 or 75,000 when all parishes have been heard from, Dr. Schwegler asserts. A simplified pledge for children has been sent to 165 principals of Catholic schools.

Pastor Says Films Aided Repeal Move

Indianapolis, Sept. 19. — Films aided repeal of the 18th amendment, charged Rev. Dr. E. Robb Zaring of New Albany before the Indiana Conference of the Methodist church here. The charge was made in a report on the clean film campaign.

"Will H. Hays and his aides have been operating this giant business on a policy of giving the public what it wants," the report read.

"Furthermore, a reprehensible feature of the industry lies in the propaganda to which it lends itself from time to time. Thus it became a powerful ally of the liquor interests in the repeal of the 18th amendment. It apparently opposed much that the church holds sacred, and with its daily audience of millions its vast influence is beyond computation."

Mae West Hit in N. O.

New Orleans, Sept. 19.—Mae West in "Belle of the Nineties" at a midnight preview packed the Saenger at 40 cents top plus tax. Many were turned away.

Exhibitor for 25 Years

Neola, Ia., Sept. 19.—R. W. Brown, local exhibitor, thought to be longest in show business in Iowa, is celebrating his 25th anniversary as showman this week.

When EDWIN C. HILL interprets the human side of the news—

In thousands of homes...all activity ceases ...the magic voice of Edwin C. Hill electrifies the nation...bring that voice with its millions of followers...into your theatre!

Bring those EDWIN C. HILL FANS

INTO YOUR THEATRE!

Adding STAR VALUE

to the NEW and GREATER

HEARST METROTONE NEWS

EDWIN C. HILL

Radio STAR, Newspaper STAR and now adding STAR value to the mighty Hearst Metrotone Newsreel. He interprets and dramatizes news events giving them an informative and thrilling background.

EDWIN C. HILL

THE GLOBE TROTTER

★ HEARST PUBLICITY AND ADVERTISING

Backed by the tremendous power of twenty-five Hearst newspapers located in principal cities of the United States with a total paid circulation of 8,450,000 and an approximate reader circulation of 40,000,000, Hearst Metrotone News is brought daily to the attention of this vast movie-going public. Here is priceless publicity which only the Hearst Metrotone News enjoys.

★ EXCLUSIVE NEWSREEL EVENTS

Hearst Metrotone News will operate independently of any previous association. This means that when you see an "exclusive" news event in the Hearst Metrotone News it will not be duplicated in any of the other newsreels. The extensively augmented news-gathering organization of Hearst Metrotone News is your positive guarantee of "exclusive" news scoops.

★ GREATER NEWSREEL COVERAGE

The most extensive and complete news-gathering network in the world has been organized for the new Hearst Metrotone News. Affiliations have been made with foreign newsreel organizations making it possible to reach hitherto inaccessible places. Accomplishing the greatest newsreel coverage of any newsreel on the market today, Hearst Metrotone News is ready at a moment's notice to bring the world's news to your screen.

★ EDWIN C. HILL AS THE GLOBE TROTTER

In thousands of homes all activity ceases when Edwin C. Hill interprets the human side of the news. The magic voice that electrifies the nation has now been captured by Hearst Metrotone News. Now you will bring that voice, with its millions of followers into your theatre. Mr. Hill continues his celebrated radio broadcasts as well as his newspaper syndication, thereby keeping his name before your public on the air, on the screen and in the press.

★ M-G-M SHOWMANSHIP and EXPLOITATION

The unparalleled showmanship and exploitation resources of the vast Metro-Goldwyn-Mayer organization is behind every issue of the Hearst Metrotone News. M-G-M believes that its new and greater newsreel merits the same type of high powered intelligent selling to the public as any other STAR property which it exploits. Hence, watch M-G-M's newsreel showmanship.

FIRST ISSUE COMMENCING WEEK OF OCTOBER 1st

DON'T WAIT FOR YOUR PATRONS TO TELL YOU!

"Mr. Exhibitor, we like your theatre and come to see your programs regularly. We ask you to be sure and get the Hearst Metrotone Newsreel. We believe there is no individual in America who interprets the news so effectively as Edwin C. Hill. He gives us the background of the news. He is informative and most pleasing to listen to. We think the Hearst Metrotone News covers the world more thoroughly and much more interestingly than any other. We don't think you can afford to be without it."

FIRST ISSUE OF THE NEW
HEARST METROTONE NEWS COMMENCING
Week of OCT. 1st
(Be there when it happens!)

No Assessment Looked for on Para.'s Stock

(*Continued from page* 1)

that the new security will be marketable at its face value. In addition, stockholders will retain the bulk of their equity through a proposed exchange of one share of new stock for two of the old.

As detailed earlier in MOTION PICTURE DAILY, the three principal creditors' groups in Paramount, the debenture holders, banks and trade creditors whose claims aggregate $50,600,000, will receive new debentures for half of their claims and the other half will be met with some form of new paper, possibly new convertible preferred stock. Debenture holders' claims aggregate $25,800,000, bank claims are $13,200,000 and trade creditors, $11,500,000.

Approval of Trustees Needed

Likewise, as reported earlier in MOTION PICTURE DAILY, settlement of the bank claim by meeting past due payments of approximately $3,600,000, with the banks becoming general creditors for the $9,600,000 balance, is contemplated in the tentative Paramount plan. The acceptance of this plan of settlement, however, must first be made by Paramount Publix trustees and approved by the Federal district court, as the trustees have pending a suit against the banks to set aside the alleged preferential position of their claim. While an agreement on such a settlement is expected daily, none had been formally achieved up to yesterday.

Trade creditors would also receive half payment of their claims in new debentures and half in whatever new form of paper is eventually decided on. This plan would then require the issuance of new debentures and stock amounting to approximately $54,000,000, on which annual charges would amount to about $2,240,000. Paramount's earnings for the first half of this year were $3,883,856. Cash on hand as of July 10 was $15,644,000.

Film Ads Pay Top Newspaper Charges

(*Continued from page* 1)

99 representative newspapers with aggregate circulations of 15,000,000 in 33 large cities. Despite the industry's long fight to obtain an equitable adjustment of prevailing rates, newspaper publishers during the past 18 months have made reductions which average only one cent per agate line.

The study disclosed that the average newspaper rate per agate line for the group investigated this year is 37 cents for combined film advertising, as compared with 31½ cents for general advertising. Local theatre advertising averages 35 cents per line and national film advertising 39 cents.

Business on Upgrade In Capital, Glasser

(*Continued from page* 1)

signs of improvement, which Glasser believes is the best indication that prosperity is returning. He supervises 12 theatres in the Washington zone.

Looking 'Em Over

"El Tango en Broadway" ("Tango on Broadway")

(*Paramount*)

This is Carlos Gardel's second of a new series for Paramount in Spanish, with incidental songs as the stories progress. His singing voice is remarkable on the screen. He is also a fine actor.

The language barrier and lack of superimposed titles limits the appeal of the film in this country, of course, but wherever Spanish is spoken it should mean heavy money at the box-office.

In the story Gardel is supposed to be a dealer in hides in New York. In reality he is a theatrical agent. His wealthy South American uncle, who has an aversion to the theatre, arrives unexpectedly. Complications ensue when Gardel's fiancee, Trini Ramos, tries to pose as his secretary, and his secretary, Blanca Vischer, who happens to be out when the uncle arrives, tries to play the role of the fiancee. Jaime Devesa gives a fine performance as the uncle.

Most of the music is in the tango tempo and is extremely well done.

"Young and Beautiful," Monday's premiere at the Criterion, was reviewed by wire from Hollywood on Aug. 22.

"British Agent," yesterday's opener at the Strand, was reviewed by wire from Hollywood on Aug. 3.

"Million Dollar Ransom," Tuesday's opener at the Rialto, was reviewed by wire from Hollywood on July 28.

"The Richest Girl in the World," this morning's opener at the Rialto City Music Hall, was reviewed by wire from Hollywood on Aug. 27.

Shorts

"A Night in a Night Club"

(*Universal*)

With Harry Rose as master of ceremonies and with J. Harold Murray heading a cast that includes Martha Raye, Elaine Arden and Buck and Bubbles, this short is good entertainment. It should more than please any audience. Production code seal No. 095. Running time, 20 mins.

"Ross-McLarnin Fight"

(*Oliver Film Prod.*)

Photographed with a telescopic lens, the action of the second Ross-McLarnin fight for the welterweight championship is clearly shown at all times. Slow motion shots of highlights of some of the early rounds and the last two are also included. The announcements of Joe Humphries, veteran announcer, are clearly heard, but the sound running along with the rounds appears to have been dubbed in later. However, some of the supposed comments of the spectators are very funny. Running time, 32 mins.

"The Dizzy Dwarf"

(*Universal*)

An entertaining cartoon based on the story of Rumplestiltskin, the Dwarf. The dialogue is appropriate and the musical accompaniment is in harmony with the story. Production code seal No. 129. Running time, 9 mins.

"Mountain Melody"

(*Educational*)

Those who like hill-billy music will probably find this to their taste. It features Frank Luther, Lew Hearn, the Six Mountain Melodeers, the Four Diplomats and the Eight Buccaneers. Ferde Grofe is credited with musical supervision. Code seal No. 096. Running time, 10 mins.

"Why Mules Leave Home"

(*Educational*)

An entertaining "Terry-Toon." A mule, tired of being exploited by the farmer, gets the animals on the farm to stage a walkout. When the Indians capture the old fellow, the mule forgets his animosity and leads the animals to his rescue. Code seal No 0106. Running time, 6 mins.

"Baby Blues"

(*Paramount*)

Distinctive pastel etchings by Technicolor under Mrs. Herbert T. Kalmus' supervision bring this short subject into the fore. There are tots and all sorts of animals in a gay array of colors which are a feast to the eye.

A little girl is playing in a garden and a monkey pet starts tinkering with a color sprayer to no end of damage. Running time, 10 mins.

"Goofy Movies No. 7"

(*M-G-M*)

HOLLYWOOD, Sept. 19.—A conglomeration of "Whataphoney Newsreel," rapier thrusts at California's climate, and scenes from an early "meller-drammer." It is keyed for comedy with Pete Smith contributing his usual laugh-provoking, explanatory remarks.

Code seal No. 141. Running time, 10 mins.

"She's My Lilly"

(*Educational*)

A musical comedy with Will Mahoney the big name, this short is passably funny. The highlight is the comedian's singing of the "She's My Lilly, I'm Her Willie" tune. Also in the cast are Bob Geraghty and Marian Martin. The Six Mountain Melodeers provide the musical accompaniment. Al Christie produced. Code seal No. 0103. Running time, 22 mins.

"Stranger Than Fiction No. 2"

(*Universal*)

Candy made from the cactus plant, strange clocks, an armless painter, a religious service on horseback, a pygmy hippopotamus and other oddities all combine to make this short excellent entertainment. One of the best of the series. Running time, 10 mins.

"Marching with Science"

(*Fox*)

One of the "Adventures of a News Cameraman" group, this short shows the film camera's importance in recording the achievements of science. It comprises a series of scenes of a variety of inventions. A good number. Code seal No. 054. Running time, 9 mins.

B. & K. Set to Tip Scales on Selected Trio

(*Continued from page* 1)

whichever is released first. This is expected some time in October.

B. & K. executives feel that increasing admissions will encourage producers to turn out more quality pictures. Circuit heads believe that producers cannot exist on present low returns and that this also applies to operators of luxurious and expensive theatres.

"If we can get more money on selected pictures," an executive of B. & K. stated, "we are moving to stabilize the industry." Distributors should encourage increases in admissions, the circuit official holds.

The same executive does not think it advisable to advance admissions on all pictures because the public will not pay the increases.

$3,912,000 Grossed By Georgia Houses

(*Continued from page* 1)

$746,000. There were also 111 other theatres in the state, including film and vaudeville houses, which had receipts of $213,000 and payrolls of $44,000.

The bureau report on film houses in several of the larger cities was as follows: Atlanta—20 houses; gross receipts $1,388,000; payrolls, $206,000. Augusta—eight houses; gross receipts, $471,000; payrolls, $81,000. Savannah—eight houses; receipts, $356,000; payrolls, $77,000. Macon—five houses; receipts, $203,000; payrolls, $44,000.

Reinhardt Spectacle Hollywood Sensation

(*Continued from page* 1)

to its 14,000 capacity at prices ranging from 50 cents to $4.50.

The production went beyond all expectations in lighting, grouping, spectacular color and aesthetic dancing. Mickey Rooney as Puck and Walter Connelly as Pyramus were outstanding in a cast of 25 principals and an ensemble of 200.

"Chained" Big In Frisco on $28,000 Take

San Francisco, Sept. 19. — "Chained" ran away with the big money here last week, piling up $28,000 at the Warfield. This exceeds normal by $5,000.

"The Fountain" took a par $13,000 at the Golden Gate, but business elsewhere went into the doldrums.

Total first run grosses were $85,500. Average is $84,000.

Estimated takings:

Week Ending Sept. 11:

"THE FOUNTAIN" (Radio)
GOLDEN GATE—(2,800), 25c-35c-40c, 7 days. Stage, band. **Gross:** $13,000. (Average, $13,000)

Week Ending Sept. 12:

"STRAIGHT IS THE WAY" (M-G-M)
"ELMER AND ELSIE" (Para.)
FOX—(4,600), 15c-30c-40c, 7 days. **Gross:** $10,000. (Average, $12,000)

"THE WORLD MOVES ON" (Fox)
PARAMOUNT—(2,670), 15c-25c-55c-65c, 7 days. **Gross:** $10,000. (Average, $11,000)

"CHAINED" (M-G-M)
WARFIELD—(2,700), 25c-35c-55c-65c, 7 days. Stage, vaudeville, band. **Gross:** $28,000. (Average, $23,000)

Week Ending Sept. 13:

"ONE NIGHT OF LOVE" (Col.)
ORPHEUM—(3,000), 15c-30c-35c-40c, 2nd week, 7 days. **Gross:** $9,000. (Average, $9,000)

"TREASURE ISLAND" (M-G-M)
ST. FRANCIS—(1,400), 15c-35c-55c-65c, 2nd week, 7 days. **Gross:** $8,000. (Average, $8,000)

"BULLDOG DRUMMOND STRIKES BACK" (U.A.)
UNITED ARTISTS—(1,200), 15c-35c-55c, 2nd week, 7 days. **Gross:** $7,500. (Average, $8,000)

"Servants" Is Detroit Smash With $24,600

Detroit, Sept. 19.—"Servants' Entrance" took a flying leap into the big money at the Fox last week and hit the $24,600 mark. This left average $9,600 behind.

"Hideout" at the Michigan, with a stage show, was also in the big money at $22,300, but business elsewhere was pretty bad. "Chained," "British Agent" and "You Belong to Me" couldn't stand the competition.

Total first run business was $65,700. Average is $65,000.

Estimated takings for the week ending Sept. 13:

"BRITISH AGENT" (Warners)
BROADWAY-CAPITOL—(3,448), 15c-40c, 7 days. **Gross:** $5,500. (Average, $10,000.)

"YOU BELONG TO ME" (Para.)
FISHER—(2,975), 15c-50c, 7 days. **Gross:** $4,700. (Average, $10,000.)

"SERVANTS' ENTRANCE" (Fox)
FOX—(5,100), 15c-65c, including tax, 7 days. Stage: Larry Rich & Co.; The Fonzols; Don Arden; Violet Raye & Norman; Frank Conners and others. **Gross:** $24,600. (Average, $15,000.)

"HIDEOUT" (M-G-M)
MICHIGAN—(4,100), 15c-65c, including tax, 7 days. Stage: Arthur Tracy, street singer; 18 Gertrude Hoffman Girls; Three Garland Sisters; Lorraine and Digby and others. **Gross:** $22,300. (Average, $20,000.)

"CHAINED" (M-G-M)
UNITED ARTISTS—(2,070), 25c-50c, 7 days. **Gross:** $8,600. (Average, $10,000.)

"British Agent" Gets Top In Washington, $22,700

Washington, Sept. 19.—Grosses are definitely on the up grade. Topper of the week was the Earle, to the tune of $22,700 for "British Agent" and a stage show headlining Isham Jones' band, $5,100 over average. Two extra shows were given.

Take two was at Loew's Fox where "The World Moves On" and a stage show featuring Little Jack Little took $19,100.

Finishing the week started by "Down to Their Last Yacht," and continuing to the regular closing date, "The Fountain" brought $12,200 to RKO-Keith's for a nine-day period.

"Crime Without Passion" gave the Metropolitan a round $5,000, both press and public agreeing on the superlative qualities of the Hecht-MacArthur opus.

Two repeat runs marked the week, a return engagement of "Treasure Island" to Loew's Columbia getting $3,800 and a second week of "Chained" bringing $6,000 to Loew's Palace.

The Rialto opened Sept. 13, presenting "There's Always Tomorrow."

Estimated takings, exclusive of tax, for the week ending Sept. 13:

"BRITISH AGENT" (F. N.)
EARLE—(2,218), 25c-77c, 7 days. Stage: Isham Jones & Orchestra, Billy & Revel, Steve Evans, Five Wonder Girls. **Gross:** $22,700. (Average, $17,600.)

"TREASURE ISLAND" (M-G-M)
LOEW'S COLUMBIA—(1,264), 25c-40c, 7 days (return engagement). **Gross:** $3,800. (Average, $3,100.)

"THE WORLD MOVES ON" (Fox)
LOEW'S FOX—(3,434), 25c-66c, 7 days. Stage: Little Jack Little & Orchestra, Ross & Edwards, Carl Shaw, Boyd & Wallin. **Gross:** $19,100. (Average, $20,500.)

"CHAINED" (M-G-M)
LOEW'S PALACE—(2,370), 35c-77c, 7 days, 2nd week. **Gross:** $6,000. (Average, $14,500.)

"CRIME WITHOUT PASSION" (Para.)
METROPOLITAN—(1,591), 25c-40c, 7 days. **Gross:** $5,000. (Average, $4,100.)

"THE FOUNTAIN" (Radio)
RKO-KEITH'S—(1,836), 25c-55c, 9 days. **Gross:** $12,200. (Average, $11,400.)

"Dames" Hits Chicago with Huge $23,000

Chicago, Sept. 19.—Grosses jumped practically all the way along the line last week, with "Dames" more than doubling average on a smashing $23,000 at the Roosevelt.

"British Agent," helped by Abe Lyman and his band at the Chicago, went over par by $9,400 on a $44,000 gross. "The Count of Monte Cristo" was $5,000 up on a take of $22,000 at the United Artists. "Of Human Bondage" topped normal by $3,000 with $18,000 at the Oriental. Two other spots, the Garrick, with "Now and Forever" and the State-Lake with "The Defense Rests," were strong.

Total first run take was $154,000. Average is $131,600.

Estimated takings:

Week Ending Sept. 11:

"COUNT OF MONTE CRISTO" (U.A.)
UNITED ARTISTS—(1,700), 30c-40c-60c, 7 days. **Gross:** $22,000. (Average, $17,000)

Week Ending Sept. 13:

"BRITISH AGENT" (F.N.)
CHICAGO—(4,000), 35c-50c-68c, 7 days. Stage: Abe Lyman & orchestra, Vilma & Buddy Ebsen; Hal Mancken; Ella Logan and others. **Gross:** $44,000. (Average, $34,600)

"OF HUMAN BONDAGE" (Radio)
ORIENTAL—(3,940), 25c-40c, 7 days. (third Loop week). Helen Morgan & Benny Meroff. **Gross:** $18,000. (Average, $15,000)

"LIFE OF VERGIE WINTERS" (Radio)
PALACE—(2,509), 25c-35c-50c, 2nd week, 7 days. Stage: Frankie Masters & orchestra, Three Swifts, Sybil Bow & others. **Gross:** $16,500. (Average, $22,000)

Week Ending Sept. 14:

"DAMES" (Warners)
ROOSEVELT—(1,591), 25c-35c-50c, 7 days. **Gross:** $23,000. (Average, $11,000)

"THE CAT'S PAW" (Fox)
APOLLO—(1,400), 25c-35c-50c, 2nd week, 7 days. **Gross:** $8,000. (Average, $12,000)

"NOW AND FOREVER" (Para.)
GARRICK—(900), 25c-35c-40c, 7 days, second Loop week. **Gross:** $5,500. (Average, $5,000)

Week Ending Sept. 15:

"THE DEFENSE RESTS" (Col.)
STATE-LAKE — (2,776), 20c-35c-35c, 7, days. Stage: Dr. Pratt & Dr. Sherman, Barry, Breen & Wyler. **Gross:** $17,000. (Average, $15,000)

"Chained" Is Top Draw in Twin Cities

Minneapolis, Sept. 19.—"Chained," playing day and date in Minneapolis and St. Paul, chalked up $6,000 in each city to top the Twin City grosses.

"Hideout" and "The Fountain" did good business in Minneapolis with a take of $4,300 at the Century, and was also $500 over normal on a $4,000 gross at the St. Paul Riviera.

Minneapolis' six Loop houses, with averages totalling $21,000, grossed $23,600, while St. Paul's five, with total averages of $16,000, got $18,000.

Estimated takings:

Minneapolis

Week Ending Sept. 13:

"HIDEOUT" (M-G-M)
CENTURY—(1,000), 25c-40c, 7 days. **Gross:** $4,300. (Average, $4,000)

"MURDER IN THE PRIVATE CAR" (M-G-M)
LYRIC—(1,000), 20c-35c, 7 days. **Gross:** $1,600. (Average, $1,500)

Week Ending Sept. 14:

"THE FOUNTAIN" (Radio)
RKO ORPHEUM—(2,900), 25c-50c, 7 days. **Gross:** $5,700. (Average, $5,500)

"CHAINED" (M-G-M)
STATE—(2,300), 25c-40c, 7 days. **Gross:** $6,000. (Average, $5,500)

"THE LOST PATROL" (Radio)
TIME—(300), 25c-35c, 7 days, 2nd week. **Gross:** $3,000. (Average, $2,500)

"FRIDAY THE 13TH" (Gaumont-British)
WORLD—(400), 25c-75c, 7 days. **Gross:** $3,000. (Average, $2,500)

St. Paul

Week Ending Sept. 13:

"CHAINED" (M-G-M)
PARAMOUNT—(2,300), 25c-40c, 7 days. **Gross:** $6,000. (Average, $5,500)

"HIDEOUT" (M-G-M)
RIVIERA—(1,200), 25c-40c, 7 days. **Gross:** $4,000. (Average, $3,500)

"THE FOUNTAIN" (Radio)
RKO ORPHEUM—(2,000), 20c-40c, 7 days. **Gross:** $4,500. (Average, $4,000)

"FRIENDS OF MR. SWEENEY" (War.)
TOWER—(1,000), 15c-25c, 7 days. **Gross:** $1,500. (Average, $1,500)

"ONE MORE RIVER" (Univ.)
WORLD—(300), 25c-75c, 7 days. **Gross:** $2,000. (Average, $2,000)

"One Night" $23,175 Hit On the Coast

Los Angeles, Sept. 19.—Despite a heat wave and Max Reinhardt's five-day spectacle at the Hollywood Bowl box-offices are holding up well, Paramount took the lead with "One Night of Love" in its second week, the $23,175 take being $5,175 over normal.

"British Agent" was strong at $8,500 at the RKO. It also took $11,000 at Warners' Hollywood, but the latter was weak.

Total first run take was $69,475. Average without the United Artists is $49,200.

Estimated takings for the week ending Sept. 19:

"SERVANTS' ENTRANCE" (Fox)
LOEW'S STATE—(2,413), 30c-55c, 7 days. Comedy, travelogue, news. **Gross:** $9,000. (Average, $14,000)

"ONE NIGHT OF LOVE" (Col.)
PARAMOUNT—(3,595), 30c-55c, 2nd wk., 7 days. Stage: Al Lyons and his Ambassadors, F. & M. revue, short, news. **Gross:** $23,175. (Average, $18,000)

"BRITISH AGENT" (Warners)
RKO—(2,700), 25c-65c, 7 days. Shorts, news. **Gross:** $8,500. (Average, $8,000)

"HOUSE OF ROTHSCHILD" (U. A.)
"BULLDOG DRUMMOND STRIKES BACK" (U .A.)
UNITED ARTISTS—(2,100), 30c-55c, 7 days. Shorts, news. **Gross:** $4,500.

"BRITISH AGENT" (Warners)
WARNER BROS. (HOLLYWOOD) — (3,000), 25c-65c, 7 days. Shorts, news. **Gross:** $11,000. (Average, $14,000)

"MIDNIGHT ALIBI" (F. N.)
"WE'RE RICH AGAIN" (Radio)
WARNER BROS. (DOWNTOWN) — (3,400), 25c-40c, 7 days. Shorts, news. **Gross:** $8,500. (Average, $12,000.)

"WAKE UP AND DREAM" (Univ.)
"TWO HEADS ON A PILLOW" (Liberty)
PANTAGES — (3,000), 25c-40c, 7 days. News, short. **Gross:** $4,800. (Average, $3,200)

"Chained" Is Cleveland Hit For 2d Week

Cleveland, Sept. 19.—"Chained" was something of a sensation here again last week. Moved over to the Stillman from the State, at advanced prices, it more than doubled average with a $10,000 take.

"Now and Forever" was a big draw at $14,000 in Loew's State, and "The Cat's Paw" was a $12,000 hit at the RKO Palace.

Total first run business was $45,200. Average is $35,000.

Estimated takings for the week ending Sept. 14:

"SHE LEARNED ABOUT SAILORS" (Fox)—3 days
"DRAGON MURDER CASE" (F. N.) —4 days
ALLEN—(3,300), 20c-30c-40c, 7 days. **Gross:** $2,200. (Average, $3,000.)

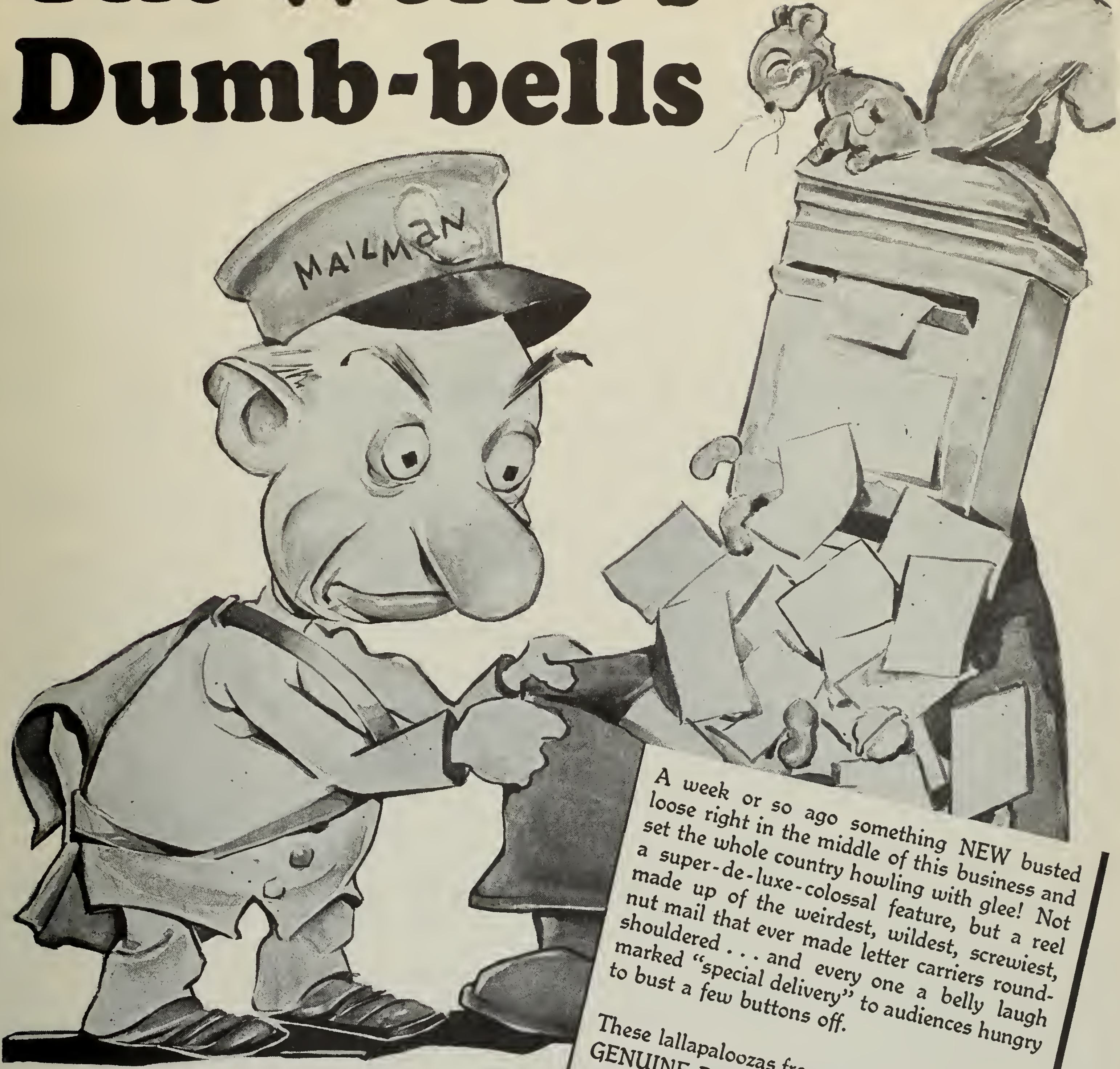
"DAMES" (Warners)
WARNER'S HIPPODROME — (3,800), 30c-35c-44c, 2nd week, 7 days. **Gross:** $7,000. (Average, $8,000.)

"THE CAT'S PAW" (Fox)
RKO PALACE—(3,100), 30c-35c-44c, 7 days. **Gross:** $12,000. (Average, $10,000.)

"NOW AND FOREVER" (Para.)
LOEW'S STATE—(3,400), 30c-35c-44c, 7 days. **Gross:** $14,000. (Average, $10,000.)

"CHAINED" (M-G-M)
LOEW'S STILLMAN—(1,900), 30c-35c-44c, 7 days. **Gross:** $10,000. (Average on 20c-40c scale, $4,000.)

The World's Dumb-bells



are writing the funniest film ever made...

A week or so ago something NEW busted loose right in the middle of this business and set the whole country howling with glee! Not a super-de-luxe-colossal feature, but a reel made up of the weirdest, wildest, screwiest, nut mail that ever made letter carriers round-shouldered . . . and every one a belly laugh marked "special delivery" to audiences hungry to bust a few buttons off.

These lallapaloozas from the morning mail are GENUINE BONAFIDE AUTHENTIC epistles received by business firms and gathered from all over the world by Juliet Lowell (who has hundreds of them).

On the screen they're so funny that audiences yell, scream, shout, go into hysterics and roll in the aisle. (We've a lot of wires and letters from exhibitors to prove it and we'll publish some of 'em in the next ad.)

This series is called "DUMB-BELL LETTERS," produced by Van Beuren Corporation, distributed by RKO-RADIO and if you're no dumb-bell you'll wire—not write—to your nearest RKO exchange about 'em!

"Servants" at $21,000 Leads Philadelphia

PHILADELPHIA, Sept. 19.—Prosperity still grinned at the local boys last week, with the general gross running well ahead of the average.

Outstanding spots were the two stage show houses, the Fox and the Earle. The former nabbed $21,000 with "Servants' Entrance" and held for a second week. At the Earle, Vincent Lopez was the big attraction, though "Desirable" got topnotch review breaks. The house grossed $16,500 on the week. "Hideout" did a neat little business at the Stanton. "She Loves Me Not" was shoved into the Stanley ahead of schedule, but overcame a bad start to take $11,000 on the week.

Total first run business was $75,300. Average, $66,900.

Estimated takings for the week ending Sept. 13:

"FRIENDS OF MR. SWEENEY" (War.)
(Second Run)
ARCADIA—(600), 25c-40c-50c, 6 days. **Gross:** $1,900. (Average, $2,400)

"AFFAIRS OF CELLINI" (U. A.)
ALDINE—(1,200), 40c-55c-65c, 2nd week, 6 days. **Gross:** $7,200. (Average, $7,000)

"ONE MORE RIVER" (Univ.)
BOYD—(2,400), 40c-55c-65c, 6 days. **Gross:** $9,000. (Average, $12,000)

"DESIRABLE" (Warners)
EARLE—(2,000), 40c-55c-65c, 6 days. Stage: Vincent Lopez and orchestra and revue. **Gross:** $16,500. (Average, $12,000)

"SERVANTS' ENTRANCE" (Fox)
FOX—(3,000), 30c-40c-65c, 6 days. Stage. Will Osborne and band. **Gross:** $21,000. (Average, $12,000)

"THE HUMAN SIDE" (Univ.)
KARLTON—(1,000), 30c-40c-50c, 6 days. **Gross:** $2,400. (Average, $3,500)

"SHE LOVES ME NOT" (Para.)
STANLEY—(3,700), 40c-55c-65c, 6 days. **Gross:** $11,000. (Average, $12,000)

"HIDEOUT" (M-G-M)
STANTON—(1,700), 30c-40c-55c, 6 days. **Gross:** $6,300. (Average, $6,000)

"Guy," Radio Act Top in Providence

PROVIDENCE, Sept. 19.—Despite the textile strike three downtown houses held up well last week and two of them went over the top. "A Very Honorable Guy," with the Pickens Sisters on the stage, took $8,000 at Fay's, over the mark by $1,000.

"The Cat's Paw" and "The Human Side" proved a $7,100 draw at the Majestic, and a combination of "Now and Forever" and "Once in a Million" took a par $6,500 at the Strand.

Total first run business was $34,775. Average is $40,500.

Estimated takings for the week ending Sept. 13:

"A VERY HONORABLE GUY" (War.)
FAYS—(1,600), 15c-40c, 7 days. Pickens Sisters on stage. **Gross:** $8,000. (Average, $7,000)

"NOW AND FOREVER" (Para.)
"ONCE IN A MILLION" (Monogram)
STRAND—(2,300), 15c-40c, 7 days. **Gross:** $6,500. (Average, $6,500)

"THE CAT'S PAW" (Fox)
"THE HUMAN SIDE" (Univ.)
MAJESTIC—(2,400), 15c-40c, 7 days. **Gross:** $7,100. (Average, $7,000)

"CHEATERS" (Monogram)
"DOWN TO THEIR LAST YACHT" (Radio)
RKO ALBEE—(2,300), 15c-40c, 7 days. **Gross:** $3,000. (Average, $7,000)

"HIDEOUT" (M-G-M)
"HAVE A HEART" (M-G-M)
LOEW'S STATE—(3,800), 15c-40c, 7 days. **Gross:** $9,200. (Average, $12,000)

"PARADISE ALLEY" (Imperial)
"THE WOMAN WHO DARED" (Imperial)
RKO VICTORY—(1,600), 10c-25c, 4 days. **Gross:** $975. (Average, $1,000)

Hollywood Personals

Hollywood, Sept. 19.—Mrs. James Montgomery, aunt of Robert Montgomery, is here visiting her nephew from New York. . . . Zelda Sears, M-G-M writer, gets her first film role in "Wicked Woman." . . . Harold Cheevers, formerly of Scotland Yard, is here visiting Hugh Walpole. . . . Stuart Erwin cast in "The Night is Young" at M-G-M. . . . Mr. and Mrs. George O'Brien will tour Europe when George finishes his role in "Cowboy Millionaire." . . . Sam Gumberts, of the Ringling Brothers circus a recent guest at M-G-M. . . . Claudette Colbert's mother is back from Paris. . . . Lanny Ross has a new gas buggy. . . Gus Kahn took the day off recently and went to the circus. . . . Charles Butterworth and Una Merkel will be teamed for comedy in "The Night Is Young" at M-G-M.

"Dames" Goes Big in K. C. With $11,000

KANSAS CITY, Sept. 19.—"Dames" was the outstanding draw, piling $11,000 in the Newman's till to double previous average. "Handy Andy" was good for $5,600 in nine days of a second week at the Uptown. The Tower bettered average at $6,800 with "The Love Captive" and a stage show. "The Fountain" was considerably off and "Affairs of Cellini" failed to reach par.

Total first run business was $37,400. New averages are not yet available, because of price increases.

Estimated takings:

Week Ending Sept. 13:

"THE FOUNTAIN" (Radio)
MAINSTREET—(3,100), 25c-40c, 7 days, plus Saturday late show. **Gross:** $4,500.

"AFFAIRS OF CELLINI" (U. A.)
MIDLAND—(4,000), 25c-40c, 7 days, plus Saturday midnight show. **Gross:** $9,500.

"DAMES" (Warners)
NEWMAN—(1,800), 25c-40c, 7 days, plus Saturday midnight show. **Gross:** $11,000.

"THE LOVE CAPTIVE" (Univ.)
TOWER—(2,200), 25c, 7 days, plus Saturday midnight show. Stage: "Collegiate Capers" revue, featuring Ross & Ayres, Gregory & Raymon, Clarence Stroud, Moriarty & Burns, Randall & Banks. **Gross:** $6,800. (Aveerage, $6,500.)

Week Ending Sept. 14:

"HANDY ANDY" (Fox)
UPTOWN—(2,000), 25c-40c, 9 days, 2nd week. **Gross:** $5,600. (Gross, first week, 7 days, $8,500.)

"Kiss and Make Up" Leads in Oklahoma

OKLAHOMA CITY, Sept. 19.—During a week of poor grosses the Liberty, with "Kiss and Make Up," took top money, $2,500. A stage show for four days helped.

Other houses slipped so badly that the total gross was $12,500. Average is $13,500.

Estimated takings for the week ending Sept. 15:

"SERVANTS' ENTRANCE" (Fox)
CRITERION—(1,700), 10c-20c-36c-41c-56c, 7 days. **Gross:** $3,800. (Average, $5,000)

"AFFAIRS OF CELLINI" (U.A.)
MIDWEST — (1,500), 10c-26c-36c-56c, 7 days. **Gross:** $3,800. (Average, $4,000)

"WORLD MOVES ON" (Fox)
CAPITOL—(1,200), 10c-20c-26c-36c-41c, 7 days. **Gross:** $1,900. (Average, $2,500)

"KISS AND MAKE UP" (Para.)
LIBERTY—(1,500), 10c-15c-26c-36c, 4 days. Stage show. **Gross:** $2,500. (Average week, $2,000)

"CALL IT LUCK" (Fox)
LIBERTY—(1,500), 10c-15c-26c-36c, 3 days. **Gross:** $500. (Average weck, $2,000)

"Empress" and Show $30,000 Top in Boston

BOSTON, Sept. 19.—Grosses fell off slightly last week with the reopening of schools, but "The Scarlet Empress" at the Metropolitan, with Ozzie Nelson and his orchestra on the stage went over par by $2,000 for a gross of $30,000.

Total first run business was $98,000. Average is $94,000.

Estimated takings for the week ending Sept. 13:

"KING KELLY OF THE U.S.A."
(Monogram)
BOSTON—(2,900), 25c-50c, 7 days. Vaude. **Gross:** $16,000. (Average, $16,000)

"DESIRABLE" (Warners)
"DRAGON MURDER CASE" (F.N.)
FENWAY—(1,800), 30c-50c, 7 days. **Gross:** $9,500. (Average, $9,000)

"THE FOUNTAIN" (Radio)
KEITH'S—(3,500), 30c-65c, 7 days. **Gross:** $16,500. (Average, $16,000)

"CHAINED" (M-G-M)
LOEW'S STATE—(3,700), 35c-50c, 7 days. **Gross:** $17,500. (Average, $16,000)

"THE SCARLET EMPRESS" (Para.)
METROPOLITAN — (4,350), 30c-65c, 7 days. Ozzie Nelson and orchestra. **Gross:** $30,000. (Average, $28,000)

"DESIRABLE" (Warners)
"DRAGON MURDER CASE" (F.N.)
PARAMOUNT—(1,800), 30c-50c, 7 days. **Gross:** $9,000. (Average, $9,000)

"World Moves On" $10,000, Montreal

MONTREAL, Sept. 19.—With Montreal just out of baseball and not yet into football, the spotlight is exclusively on theatres.

"The World Moves On" at the Capitol registered $10,000 at the box-office, or $1,000 above par.

Total first run business was $40,500. Average is $43,000.

Estimated takings for the week ending Sept. 15:

"THE WORLD MOVES ON" (Fox)
"ROMANCE IN THE RAIN" (Univ.)
CAPITOL—(2,547), 25c-35c-40c-50c-60c, 7 days. **Gross:** $10,000.. (Average, $9,000.)

"CAVALCADE" (Fox)
IMPERIAL—(1,914), 25c-40c-50c, 7 days. Vaudeville: Senorita Cavita; Paul LaVarry Bros.; Vic. Binns and his Variety Four; Frank and Teddy Sabini; Lee Shelley and Imperialists. **Gross:** $4,500. (Average, $6,500.)

"STRAIGHT IS THE WAY" (M-G-M)
'THE LOVE CAPTIVE" (Univ.)
LOEW'S—(3,115), 25c-35c-50c-65c, 7 days. **Gross:** $9,500. (Average, $10,500.)

"SERVANTS' ENTRANCE" (Fox)
"LADIES SHOULD LISTEN" (Para.)
PALACE—(2,600), 25c-35c-50c-60c-75c, 7 days. **Gross:** $11,000. (Average, $11,000.)

"THE AFFAIRS OF CELLINI" (U. A.)
"THE NINTH GUEST" (Col.)
PRINCESS—(2,272), 25c-35c-50c-65c, 7 days, 2nd week. **Gross:** $5,500. (Average, $6,000.)

"One Night" Season's Top For Broadway

That $104,120 taken by "One Night of Love" in the first week at Music Hall was the outstanding box-office event of the week. In spite of its size, the biggest in 42 weeks, some of the other Broadway houses did good business.

"Affairs of Cellini" reached $35,000 in its first week at the Rivoli, "Chained" had a good $37,360 at the Capitol, and the Paramount took $45,000 on "She Loves Me Not."

"Romance in the Rain" gave the Roxy a fine seven days with $36,400.

Estimated takings:

Week ending Sept. 11:

"AFFAIRS OF CELLINI" (U. A.)
RIVOLI—(2,200), 40c-99c, 7 days. **Gross:** $35,000.

Week ending Sept. 12:

"ONE NIGHT OF LOVE" (Col.)
RADIO CITY MUSIC HALL—(5,945), 35c-$1.65, 7 days. Stage show. **Gross:** $104,120.

Week ending Sept. 13:

"CHAINED" (M-G-M)
CAPITOL—(4,700), 35c-$1.65, 2nd week, 7 days. Stage show. **Gross:** $37,360.

"THE FOUNTAIN" (Radio)
PALACE—(2,500), 25c-75c, 7 days. Vaudeville. **Gross:** $15,000.

"SHE LOVES ME NOT" (Para.)
PARAMOUNT—(3,700), 35c-99c, 7 days. **Gross:** $45,000.

"ROMANCE IN THE RAIN" (Univ.)
ROXY—(6,200), 25c-55c, 7 days. Stage show. **Gross:** $36,400.

"DAMES" (Warner)
STRAND—(2,000), 25c-55c, 4th week, 7 days. **Gross:** $17,000.

Week ending Sept. 17:

"CHARLIE CHAN IN LONDON" (Fox)
MAYFAIR—(2,300), 35c-65c, 7 days. **Gross:** $14.312.

"YOU BELONG TO ME" (Para.)
RIALTO—(2,300), 25c-65c, 7 days. **Gross:** $9,000.

"Dames" $4,800 in Portland Holdover

PORTLAND, Sept. 19.—"Dames" in its second week at Hamrick's Music Box grossed $4,800, or $1,800 over average and continued for a third.

"Chained" at the United Artists took $5,200, or just $200 over average. It was held for a second week.

"The World Moves On" at the Paramount was good for $800 over normal with the help of a television demonstration and "You Belong to Me."

Total first run business was $24,000. Average is $22,000.

Estimated takings for the week ending Sept. 13:

"BRITISH AGENT" (F.N.)
BROADWAY — (1,912), 25c-35c-40c, 7 days. **Gross:** $5,000. (Average, $5,000)

"DAMES" (Warners)
HAMRICK'S MUSIC BOX—(2,000), 25c-35c-40c, 7 days, 2nd week. **Gross:** $4,800. (Average, $3,000)

"HIS GREATEST GAMBLE" (Radio)
"ONCE TO EVERY BACHELOR"
(Liberty)
HAMRICK'S ORIENTAL—(2,040), 25c, 7 days. **Gross:** $2,000. (Average, $2,000)

"DAMAGED LIVES" (S. R.)
PANTAGES — (1,700), 15c-25c, 7 days. **Gross:** $1,200. (Average, $2,000)

"THE WORLD MOVES ON" (Fox)
"YOU BELONG TO ME" (Para.)
PARAMOUNT — (3,008), 25c-35c-40c, 7 days. **Gross:** $5,800. (Average, $5,000)

"CHAINED"
UNITED ARTISTS—(945), 25c-35c-40c, 7 days. **Gross:** $5,200. (Average, $5,000) 2nd week.

The Box Office Measures Creative Talent In Cold Figures

Box office figures represent the true value of the creative talent of the screen, guiding production along lines indicated by box office performance and public response.

MOTION PICTURE HERALD'S Box Office Champions, compiled and published for each month since October, 1931, based on a nation-wide report of box office figures, has been invaluable to motion picture executives as a judgment on their activities and as a mark for the future.

Similarly figures gathered and published by MOTION PICTURE DAILY have served to measure the attainments and contributions of the screen's creative workers.

They have served exhibitors as a foundation for profitable bookings and for extended exploitation efforts.

The forthcoming BOX OFFICE CHECK-UP will analyze and summarize the year's outstanding screen successes in terms of the box office and indicate other factors that have contributed to the notable achievements of recent months.

THE BOX OFFICE
CHECK-UP
of 1934

how am I doin', boys?
SWELL!
PARAMOUNT
BELLE OF THE NINETIES

The Leading Daily Newspaper of the Motion Picture Industry

MOTION PICTURE DAILY

Alert, Intelligent and Faithful Service to the Industry in All Branches

VOL. 36. NO. 69 NEW YORK, FRIDAY, SEPTEMBER 21, 1934 TEN CENTS

More Houses Are Reopening Over Country

Many Are Remodeled and Have New Equipment

Reports from all over the country indicate renewed activity in the theatre field. Many houses have thrown their doors open again after the expenditure of large sums for remodeling and new equipment, while still others are scheduled to relight in the near future. Some of these reports follow.

SANDUSKY, O., Sept. 20.—The Sandusky, leased by the newly-formed Sandusky Amusement Co., Inc., has reopened for operation on Saturdays

(Continued on page 6)

Predicts Revision Of K. C. Clearance

KANSAS CITY, Sept. 20.—Code Authority will not countenance the so-called price fixing provision in the clearance schedule adopted for Kansas City by the local clearance and zoning board and will order the clause stricken out, is the impression brought back by W. D. Fulton,

(Continued on page 4)

Clearance Hearings Increased to Eight

Campi has increased the number of hearings on individual protests against clearance schedules from four to eight.

The original list of dates were Sept. 21, 24, 25 and Oct. 2. The revised schedules add Oct. 8, 16, 22 and 30.

In addition to returning schedules of the Atlanta, Cleveland, Kansas City, Milwaukee, New Haven, Memphis and New Orleans boards, Campi has sent back the Dallas plan for redrafting.

Hearings on the revised schedules of the eight boards will be set at a later date.

Five Holdouts Sign Jersey Dual Pacts

Five holdouts have signed the agreement to eliminate duals in New Jersey, reducing the number who have not signed to date to 15.

Springer & Cocalis with six houses are still holding out, and unless the circuit signs by Oct. 3, the deadline, the move will fall through.

Hope for Fast Federal Move In ASCAP Case

Exhibitor Group Confers With Attorney General

WASHINGTON, Sept. 20.—The possibility of the Attorney General's office intervening on behalf of exhibitors to provide immediate relief from increased music taxes in the form of an application for an injunction restraining the American Society of Composers, Authors & Publishers from placing its proposed new rates in effect on Oct. 1 was indicated here today following the second conference between an exhibitor delegation and government representatives.

Such a step on the part of the government would lead to a consolidation of the exhibitors' proposed

(Continued on page 4)

Gaumont's Salesmen To Go Into 31 Spots

Gaumont British sales staffs in this country will be organized by George Weeks, sales manager, in 31 of the 37 Fox exchange cities within the next few weeks, it was learned yesterday.

G-B will offer 16 features during the season, and will sell them in two blocks of eight pictures each. The first eight will be offered immediately upon organization of the sales staffs and the second after Jan. 1, 1935. Weeks starts on the road within the next few days and will select a local manager and sales staff in each of the 31 cities where headquarters are being established as he goes. A New York manager and staff of four salesmen have already been decided on. Fox will handle the physical distribution nationally.

Mickey 6 Years Old

Mickey Mouse celebrates his sixth birthday on Sept. 29. Walt Disney and United Artists are planning a national campaign on the anniversary.

Sees Bars to British Film Import Taxes

By BRUCE ALLAN

LONDON, Sept. 20 (By Mail).—No practicable means of valuing imported films has yet been discovered, said Simon Rowson, discussing at a meeting of the British Ass'n. at Aberdeen the suggestion that ad valorem duties up to 33 1-3 per cent should be imposed on films imported into the British market.

Rowson, a recognized expert on trade finance and statistics, and until recently a director of Gaumont British, asserted that there were no legal means of compelling importers to disclose the amount of their remittances abroad, for purposes of taxation.

Wildly exaggerated statements as to the amount of money taken out of the British market by American distributors were denounced by Rowson. They

(Continued on page 6)

Cohn Denies Report Of Studio Transfer

HOLLYWOOD, Sept. 20.—Contrary to reports, Harry Cohn, president of Columbia, says he is not interested in politics. His statement was made in response to published stories to the effect that Columbia would move its production east if Upton Sinclair were elected Governor of California.

Memphis Tries Division of Films Into Three Classes

MEMPHIS, Sept. 20.—In a move to promote better understanding between film theatres and the public, *The Memphis Commercial Appeal* has begun publishing in its Sunday amusement section each week a movie guide compiled by the Better Film Council of Memphis.

All the pictures booked into local downtown and neighborhood theatres during the week are classified into one of three groups: adults, adolescents and children.

The guide bears these introductory remarks: "For the benefit of parents who exercise care in the selection of motion picture entertainment for their children, the Better Film Council prepares a weekly movie guide for *The Commercial Appeal*. These classifications are made solely on the basis of suitability for the three audience groups and without any attempt to fix a standard of quality. The pictures listed here are scheduled to play Mem-

(Continued on page 4)

Court Urges Fox Theatres, Met to Merge

Manton Says It Would Solve Problems

A merger of Fox Theatres with Fox Metropolitan Playhouses, as provided for under new bankruptcy laws, was urged upon attorneys for creditors of both companies by Federal Judge Martin Manton yesterday as an equitable solution for all creditors involved.

Under the procedure recommended by Judge Manton, the consolidated company could proceed with a reorganization under Section 77-B of the bankruptcy laws with creditors of both Fox Theatres, which owns all of the outstanding stock of Fox Met, and creditors of the latter company participating.

Ralph O. Wilguss, attorney for Fox Theatres, declared that a reorganization of that company under Section

(Continued on page 2)

"One Night" Takes $103,793 2nd Week

Garnering $427 less than the opening week, "One Night of Love" took in $103,793 for the second seven days at the Music Hall, making a total of $207,913 for the two-week period. The second week, like the first, led Broadway by a wide margin, despite the Jewish holidays. The grosses mark the best two weeks the house has had since its opening.

At the Roxy, Universal's "The Human Side" kept the cashiers busy with a neat $31,800, which provided a handsome profit for the house. "Chu Chin Chow" opens at this house today and on Oct. 5 "Peck's Bad Boy" goes in.

Court Moves to Cut Para. Toledo Claim

An order authorizing Paramount Publix to proceed with a plan which will release it from liabilities of $1,711,000 in connection with a bond issue of the Toledo Paramount Corp.

(Continued on page 4)

Lesser Plans Six Features Annually

Sol Lesser plans to make six features a year, four of which will feature George O'Brien and two specials

(Continued on page 4)

MOTION PICTURE
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Paper Town for "Belle"

Paramount is plastering posters all over town on Mae West in "Belle of the Nineties," which opens today at the Paramount for an indefinite run. It's expected to go four weeks.

Under the supervision of Robert Gillham and Alec Moss, 300 24-sheets, 500 six-sheets, 2,000 three-sheets and 5,000 one-sheets are being put up in Greater New York.

Wilson Forms Economic

Frank Wilson has formed Economic Films, Inc., of which he is president. He has completed his first picture, "America Forward," a five-reel film which he intends to show in cities and towns under the auspices of local industries.

Plans for other pictures have not been completed, Wilson stated yesterday.

Dietz, Smith Wow Ampa

Howard Dietz and Pete Smith yesterday rollicked the A.M.P.A., the former as master of ceremonies and the latter as principal guest. Others on the program included Charles Winninger, James FitzPatrick, Stuart Erwin and Charles McManus.

Heymann Ampa Secretary

Mel Heymann of the M-G-M publicity department has succeeded Harry Blair as secretary of the A.M.P.A. Heymann is also a member of the publicity committee.

Court Urges Fox Theatres, Met to Merge

(*Continued from page* 1)

77-B was impossible. He stated that claims of approximately $35,000,000 had been filed against the company and that its assets were negligible. It was later estimated that the value of the assets would not exceed $2,000,000.

Charles H. Kelby, attorney for creditors who are petitioning for a reorganization of Fox Theatres under Section 77-B, assailed Wilguss' viewpoint and declared that he would be prepared to make a cash offer for Fox Theatres' assets, including its Fox Met stock, within a short time. He said a Fox Theatres creditors' committee is being formed now for that purpose and described the $35,000,000 claim against the company as "mostly slush which will be rapidly cleared away once hearings on them are started before a special master."

"I believe that many of the claimants won't even have the nerve to appear before a special master when their claims are heard," Kelby said.

Expects Little from Stock

Morton G. Bogue, of counsel for the Fox Met bondholders' committee, told Judge Manton that Fox Theatres "didn't have a chance in the world of realizing anything on its Fox Met stock."

"The bondholders have claims of more than $13,000,000 which have to be met first," Bogue said. "There isn't more than $750,000 of unmortgaged cash in Fox Met assets which the stockholder could levy against. The only indication of the value of the total assets is the $4,500 000 bid made for them by Loew's and Warners and later withdrawn," Bogue declared. "That would leave Fox Met bondholders with a claim of $9,000,000 still remaining against the company in the event of a sale of its assets."

Yesterday's hearing, called to consider the petition of the creditors represented by Kelby for a reorganization of Fox Theatres, was adjourned by Judge Manton for two weeks to allow a special master to rule on the provability of the claims of the petitioning creditors. Kelby was granted leave yesterday to add five new creditors to his list of petitioners, one of which is Columbia Pictures, with a claim of $585 against Fox Theatres.

Radio Sets Product Deal with Glucksman

A distribution deal for Radio's entire 1934-35 lineup was closed yesterday by RKO Export Corp. with the Glucksman interests in South America. The contract was signed by Ned E. Depinet and Jacobo Glucksman of the New York office of Compania Commercial Radiolux of South America and covers Argentina, Uruguay, Paraguay and Chile. This is the fifth successive year that the Glucksman interests have signed for Radio product.

Winninger May Stay

Charles Winninger may not appear in "Show Boat" for Universal and will probably call off his trip to the coast. He has been signed for a role in Howard Dietz's show "Revenge with Music," which is being produced by Frankwyn and slated to open at the Amsterdam. Libby Holman also will be in the stage show.

Laemmle Off for Coast

Carl Laemmle, who got in from Europe last week, departed yesterday for the coast, where, upon arrival, he will confer with his son on production matters. Jack Ross, his secretary, accompanied him, while Joe Weil, his assistant, will stay in town a few days before following him.

"U" Common on $1 Basis

The par value of the common stock of Universal has been changed to $1 per share. The new stock replaces the present no-par value common, trading in which has been suspended pending completion of an application for listing of the $1 shares.

Hulbert, Balcon Sailing

Jack Hulbert, Gaumont British star, and Michael Balcon, production manager for the company in England, sail tomorrow from London to confer with Jeffrey Bernerd here.

Loew Sails Tomorrow

Arthur Loew sails tomorrow on the *Southern Prince* for South America. He plans to return around Christmas.

Eastman Pfd. Off 3 on Big Board

	High	Low	Close	Net Change	Sales
Columbia Pictures, vtc	32	32	32	+ ¼	400
Eastman Kodak	95	95	95	+ ½	200
Eastman Kodak, pfd	140	140	140	—3	5,000
Fox Film "A"	11½	11½	11½	+ ¼	200
Loew's, Inc.	27⅛	26¾	26¾	— ⅛	1,300
Paramount Publix, cts	4⅛	4	4	— ¼	7,900
Pathe Exchange	1	1	1	.....	500
Pathe Exchange "A"	12½	12¼	12¼	— ⅛	1,000
RKO	2¼	2¼	2¼	+ ⅛	400
Warner Bros.	4⅜	4¼	4⅜	— ⅛	1,100

Technicolor Down One-Half on Curb

	High	Low	Close	Net Change	Sales
Technicolor	12½	12¼	12½	— ½	600
Trans Lux	1⅞	1⅞	1⅞	.....	100

Warner Bonds in 3¼-Point Gain

	High	Low	Close	Net Change	Sales
General Theatre Equipment 6s '40	5½	5¼	5½	.....	14
Keith B. F. 6s '46	56	56	56	+3½	1
Loew's 6s '41, ww deb rights	102	102	102	.....	1
Paramount F. L. 6s '47	53½	53½	53½	—1	1
Paramount Publix 5½s '50	53¾	52½	53¾	—1⅝	11
Pathe 7s '37, ww	96½	96	96	—1	1
Warner Bros. 6s '39, wd	55	54¼	55	+3¼	10

Purely Personal

STUART ERWIN would like to play Loew houses in Washington and Baltimore, following his booking at Loew's State, but says he has to go home and get down to work, meaning the M-G-M lot in Culver City.

HOWARD S. CULLMAN gets back today from a brief vacation up-state. Tonight he will be host at a dinner party for MARK OSTRER to celebrate the opening of Gaumont British's "Chu Chin Chow" at the Roxy.

FRED S. CULBRANSEN, new Central American branch manager for Radio, accompanied by R. K. HAWKINSON, Latin American division manager, are en route to Panama on the *Peten.*

MILTON DOUGLAS, baritone who has a role in Select's "Gigolette," has been engaged as master of ceremonies at the Hotel Adelphia Roof, Philadelphia.

A. H. SCHWARTZ, of the Century Circuit, was awarded first prize, District 1-Class D, in the *Herald-Tribune* Yard and Garden competition.

MURIEL KIRKLAND, who has just completed a role in JESSE L. LASKY'S "The White Parade," reached town yesterday for a visit with her family.

CHARLES CARALLERO returned yesterday from Worcester and Springfield, Mass., where he looked over HARRY ARTHUR'S two houses.

FRANK MCHUGH and MRS. MCHUGH are in town on a belated honeymoon. They plan to return to the coast in about three weeks.

D. BERNARD KREISELMAN, impartial government representative on the Los Angeles grievance board, is in town for a week.

LOUIS SIMPSON, in charge of M-G-M's office in Guatamala, has returned to his branch after conferences here with Arthur Loew.

ROY DEL RUTH, director of EDDIE CANTOR'S latest, "Kid Millions," arrives in town from the coast tomorrow.

PETE SMITH will meet the press Monday and give it the lowdown on dialoguing shorts for M-G-M.

JAMES FITZPATRICK leaves for Hollywood on Oct. 1 to make a Technicolor short for M-G-M.

JACK SHAPIRO and LOUIS BLUMENTHAL flew to Chicago last night on a short business trip.

JOHNNY BURKE and HAROLD SPINA, songwriters, will be on their way to the coast shortly.

KING VIDOR got off on his delayed start for the coast yesterday.

Select Signs Rita Weiman

Rita Weiman has been signed to collaborate with her husband, Maurice Marks, on the adaptation of Myrtle Reed's novel, "Lavender and Old Lace," which will be Select's fourth production of the season.

Maynard Hurt at Work

HOLLYWOOD, Sept. 20.—Ken Maynard is at the Hollywood Hospital with a fractured leg and bruises, suffered while at work in "Old Santa Fe."

"Variety Daily" RETURNS ITS VERDICT

as follows:

"Should prove as refreshing at the box-office as a mint julep at hot noon. A natural for Will Rogers . . . filled with homespun charm, simple, earthy humor and fine sentiment. Has that haunting quality which makes a picture talked about for thriving business."

WILL ROGERS

in *Irvin S. Cobb's*

Judge Priest

with

Tom Brown Anita Louise
Rochelle Hudson Henry B. Walthall
David Landau
and Stepin Fetchit

Produced by Sol M. Wurtzel • Directed by John Ford
Screen play by Dudley Nichols and Lamar Trotti

FOX

Hope for Fast Federal Move In ASCAP Case

(Continued from page 1)

action against A.S.C.A.P. with that brought by the Attorney General against the music licensing groups, it was reported.

Members of the exhibitors' delegation which conferred with government representatives today included Louis Phillips of the Paramount legal staff; Leopold Friedman of Loew's, Ed Kuykendall, president of M.P.T.O.A., and Abram F. Myers, general counsel of Allied States.

The legal committee of the exhibitor emergency group will meet today in the office of Louis Phillips at Paramount to hear a report on yesterday's conference with Federal representatives at Washington and to decide on future action in the legal fight against A.S.C.A.P. to forestall the proposed music tax increases.

Indications are that if the government fails to move for an immediate injunction against the music tax increases the exhibitor committee will instruct George Z. Medalie to file such an action immediately.

Neb.-Ia. Showmen Warn Of Appeal to Congress

OMAHA, Sept. 20.—A resolution of protest against A.S.C.A.P.'s proposed music tax increase, carrying a threat to appeal to Congress for relief, was adopted today by 58 exhibitors of Nebraska and western Iowa at a meeting here. The showmen stated they had agreed to contribute one and one-half cents a seat toward a fund to aid the tax fight. Ben Glazer, A.S.C.A.P. attorney, told them the tax would be lower for the smaller houses, with only the big ones, comprising about 30 per cent of the total, being affected.

Predicts Revision Of K. C. Clearance

(Continued from page 1)

local independent, from conferences in New York.

Fulton reports that in a discussion with John C. Flinn, Campi secretary, it was indicated that the local board exceeded its authority in including the provision, and Fulton drew the inference that Campi would specifically instruct its deletion when returning the schedule to Kansas City for revision. Instructions from Campi are expected here by the end of the week.

Fulton made the trip to New York primarily to determine Campi's sentiment with regard to the Kansas City clearance setup. He represents a group of 24 independents who appealed the adopted schedule on the ground the controversial clause tends to place them in a lower price classification and defeats efforts to raise admissions.

Revamping the local schedule, the board also will be instructed to base clearance on prior run instead of first run, as at present, Fulton learned.

MOTION PICTURE DAILY'S HOLLYWOOD PREVIEW

"The Lemon Drop Kid"

(Paramount)

HOLLYWOOD, Sept. 20.—Damon Runyon's story of a racetrack tout and his regeneration is recorded somewhat satisfactorily on the screen.

Lee Tracy, "The Lemon Drop Kid," plying his trade at racetracks with Bill Frawley and Minna Gombell, gets wanted for some technical infringements of the betting rules. Hiding out in a small town, he meets and marries Helen Mack, who later dies as her baby is born. Tracy is sent to prison for appropriating funds needed to save Miss Mack's life.

After three years in jail the warden has Baby LeRoy brought to Tracy, thus motivating his desire to get out of jail with something to live for. Once paroled, he locates his baby with his pals, Frawley and Miss Gombell, who, as a rich young couple, took the child from an orphanage.

Besides Tracy, Miss Mack, Baby LeRoy, Frawley and Miss Gombell, others in the cast include Henry B. Walthall, Robert McWade, Kitty Kelly, Eddie Peabody and Charles Wilson. Marshall Neilan directed from Howard J. Green's screen play. Additional dialogue by J. P. McEvoy.

As a program release, it should satisfy on name values of the author and players. Production code seal No. 236. Running time, 69 minutes.

"Belle of the Nineties," last night's preview at the Paramount, was reviewed by wire from Hollywood on Aug. 20.

"Death on the Diamond," this morning's opener at the Capitol, was reviewed by wire from Hollywood on Aug. 27.

Buffalo Board Rules On Three Grievances

BUFFALO, Sept. 20.—Decisions in three cases were handed up by the Buffalo grievance board today. A cease and desist order was issued against the Schine Theatrical Co. on complaint of Reliance Theatres, Inc., of Lockport, charging reduced admissions.

Complaint of the Schine Theatrical Co. at Oswego against the Palace at Wolcott, on "thrift nights" in violation of the code, was dismissed on the ground the Palace is not a competitor of Schine.

An overbuying charge brought by Reliance Theatres, Inc., against the Schine Theatrical Co., both of Lockport, also was dismissed. Respondent has contracts only with M-G-M, Universal, Fox, Warners, RKO and Paramount, it was testified.

Code Amendments Get Legal Analysis

Legan questions pertaining to two amendments to the code were discussed yesterday by a committee comprising Austin Keough, chairman; Willard McKay, Sidney Bromberg and William Jenkins.

The two amendments are in reference to contract labor in studios and minimum wage provisions for vaudeville talent.

W. Ray Johnston, a member of the production committee, also sat in on discussions dealing with production.

Today the finance committee will go over plans for assessing producers and distributors. The new exhibitor assessment for the second half year is already completed and awaits ratification by Campi at the next meeting, Sept. 27.

Dr. Giannini Due Soon

Dr. A. H. Giannini arrives from Europe next Thursday.

H. A. Post on Coast

HOLLYWOOD, Sept. 20.—Harry A. Post, vice-president of Celebrity Prod., is here for a series of conferences on Powers ComiColor Cartoons. He is also talking with independents about future releases.

"Agent" Sets a Record

"British Agent," according to Warners, broke all week-day records for high grosses when it opened at the Strand Wednesday. Theatre officials claim a box-office take of $8,923 for the day.

MPTO Seeks $3,000 Fund

ST. LOUIS, Sept. 20.—Members of the M.P.T.O. unit are trying to raise $3,000 as the theatre contribution toward a fund being sought to get the American Legion convention to come here.

Lehr, Moscowitz Coming

HOLLYWOOD, Sept. 20.—Abraham Lehr and Joseph Moscowitz of United Artists are on their way east on the same train with Adolph Zukor and Joe Penner. Joseph M. Schenck will follow within 10 days.

Korda Signs Barrymore

LONDON, Sept. 20 (By Cable)—Alexander Korda has signed John Barrymore for a picture in April, when the new London Films studios are scheduled to open.

Flock to 'Night of Stars'

About 90,000 jammed the Yankee Stadium last night to witness "Night of Stars" given for the benefit of German Jews. Many stage, screen and radio stars participated.

Audio's Spanish Version

Audio Productions has made a Spanish version of "Rhapsody in Steel."

Memphis Tries Putting Films In 3 Classes

(Continued from page 1)

phis downtown and neighborhood theatres this week. Watch the theatrical advertising section each day for theatres showing attractions in which you may be particularly interested."

The guide carries the name of the picture, names of the stars and a thumb-nail description in from two to five words. For instance, under adult pictures, the reader finds:

"Barretts of Wimpole Street"—Norma Shearer, Fredric March and Charles Laughton, the Barrett-Browning romance beautifully reproduced.

"Big Shakedown"—Bette Davis and Charles Farrell, gangster movie.

Under pictures for adult and adolescent groups, this is typical:

"Many Happy Returns"—Guy Lombardo, Burns and Allen; frivolous farce with musical background.

And in the "family audience" group:

"Count of Monte Cristo"—Robert Donat and Elissa Landi in the Dumas historical romance transferred to the screen with painstaking care and elaborateness of detail.

As far as possible, the Better Film Council undertakes to see all these pictures at previews before classifying them. Where this is impossible, the classification set down by the national organization is accepted at least until the picture has opened its downtown engagement.

The idea has met with public approval, but has been slow in gaining approval of theatre managers.

Court Moves to Cut Para. Toledo Claim

(Continued from page 1)

and rents and taxes on five Toledo theatre properties, was signed yesterday by Federal Judge Francis G. Caffey in U. S. District Court here.

In return for the Paramount release, Famous Theatres, a Paramount subsidiary, agrees to withdraw two claims which it has filed against the Toledo company, one claim for $1,036,449, and another of undetermined amount. Paramount will also pay fees aggregating $165,000 to Al Reuben and Walter J. Kountz, receivers for Toledo Paramount, and their counsel.

Lesser Plans Six Features Annually

(Continued from page 1)

on the type of "Peck's Bad Boy," but not necessarily with a child star.

Lesser sails for Europe on the *Ile de France* on Sept. 29. Next Wednesday Eddie Cline and O'Brien arrive from the coast and will join Lesser, who is going abroad to make exteriors on "Millionaire Cowboy." He will also work on an international radio picture while in Europe and hunt material for O'Brien's next picture.

The independent producer says this week was shipping week for his company. Four negatives were sent east.

Weissmullers to Sail

Johnny Weissmuller and Lupe Velez sail for London Sept. 29 on the *Ile de France.*

"Things You Ought to Know

ABOUT MOTION PICTURES FOR 1934-35

—NO. 2—

What

Warner Bros. picture has just broken ALL WEEK-DAY HOUSE RECORDS FOR TOTAL ADMISSIONS AND TOTAL RECEIPTS at its Broadway premiere, and has been hailed by critics as "a stunning drama"—"a dynamic film"—"a stirring picture"—"unusual entertainment"?

ANSWER ON NEXT PAGE

(*Answer to question on page 5*)

. . . Of course, it's

"BRITISH AGENT"

Starring Kay Francis and Leslie Howard. Directed by Michael Curtiz

More Houses Are Reopening Over Country

(*Continued from page 1*)

and Sundays, playing double features. It is planned to operate the house daily when conditions justify. John L. Damm, manager of the State and one of the incorporators of the new organization, is in charge.

WHEELING, W. Va., Sept. 20.—George Otte, who recently acquired the Virginia here and is personally managing the house, has inaugurated a policy of vaudefilm, with two program changes weekly.

BLOSSBURG, Pa., Sept. 20.—M. F. Meyer, brother of the late J. G. Meyer, has taken over the Victoria here and the Rialto in Mansfield, Pa.

ADA, O., Sept. 20.—Carl Moore, who recently leased the Lehr Auditorium here, has reopened it with a continuous picture policy. Moore also has taken a five-year lease on the Lyric, Van Wert. He is redecorating the house and installing new equipment, preparatory to opening Oct. 15.

W. R. Rhodes, owner of the Odeon, is renovating the house, formerly operated by Moore, and will reopen it with a straight film policy. New equipment is being added by Rhodes, who will manage the house.

YOUNGWOOD, Pa., Sept. 20.—The Pearl has been leased by William Blatt and will reopen shortly under his management. The house was operated for several years by Harry Petz. Blatt also operates the Grand, Patton, Pa.

FORD CITY, Pa., Sept. 20.—Fickinger Bros. of this city have acquired the Coudersport from C. E. Clawson. After extensive improvements they will reopen it with a straight film policy.

OAKMONT, Pa., Sept. 20.—Steve Rodnock has reopened his Lehigh here after a dark period of six weeks. The house has been completely remodeled.

HOLLYWOOD, Sept. 20.—Hollywood is to have another new theatre of modern design providing present negotiations between Coldwell, Cornwall and Banker, the proposed builders, and Earl Sinks and Howard Sheehan are consummated.

Sinks and Sheehan formerly held the lease on the Iris, which was recently sold to the Gore Brothers. The new structure will have a seating capacity of 900 and will cost around $50,000. This is the second new theatre project to spring up in Los Angeles during the past month.

RICHMOND, Sept. 20.—This city is to have a third new theatre. Clarence Vaden, well known exhibitor, is head of a new concern called Grace Amusement Co., which has plans drawn for a new house. Other officers are: Vice-President, A. S. Vaden; secretary-treasurer, F. S. Vaden.

SALT LAKE CITY, Sept. 20.—The Hippodrome has been renovated and will be opened soon for old time stage melodramas. To meet the competition the Victory has put on stage shows.

OMAHA, Sept. 20.—Joe Swoboda who operates the Avalon, Schuyler, Neb., has reopened the Strand there with all new equipment.

NEW ORLEANS, Sept. 20. — The Crescent opens on Sept. 22 under the management of the Belmont Musical Comedy Co., consisting of Eddie Chittenden and Gus Coats, a former Saenger manager. First run films and vaudeville will be featured.

DOVER, Del., Sept. 20. — Control Corporation of America, has been chartered here to operate theatres and engage in realty operations, listing capital stock of 500 shares, no par value. The incorporators are Eva M. Kelley, Dorothy H. Carey and Bessie Crosson, Wilmington, Del.

CINCINNATI, Sept. 20.—The Mayfair, 400-seat "intimate theatre," reopened today with a return showing of "Be Mine Tonight." Formal opening is set for Sept. 27, with "The Blue Light." The house will be operated by J. Ebersole Crawford and John R. Loofbourow, with Kathryn Turner managing director. Mostly foreign films will be shown, and cigarettes and refreshments will be served in the lobby.

PHILADELPHIA, Sept. 20.—The Locust Street has postponed its opening from today to Sept. 26. "Caravan" will be the feature and present indications are that the house will be operated on a road show basis with two shows daily and a top of either $1.10, or $1.65. If so, it will be the only roadshow house in town, unless the Chestnut Street Opera House, a legit theatre, is taken over by one of the distributors for a road engagement. The theatre has been used several times by M-G-M, notably for "Grand Hotel," "Dinner at Eight" and "Trader Horn."

TORONTO, Sept. 20.—The Victoria large downtown house formerly operated by Jerry Shea, is being entirely remodeled and sound equipment installed for the first time. It will be reopened shortly as the Embassy. The theatre was under lease to Famous Players for several years, but was used only occasionally for special events.

ALBANY, Sept. 20. — Order Please, Inc., has been chartered here to exhibit films and present plays. Incorporators are Edward C. Carpenter, Martin Turner, John Tuerck, James A. Vaughan and T. H. Dugan, Jr.

Milhel Distributing Corp. has also been chartered to distribute films. Directors and subscribers are Louis Kramer, Milton J. Kramer, Jacob Kramer, Viola Hauser and John Clein.

DETOUR, Mich., Sept. 20.—A new 300-seat house is under construction here by McCulloch & Nedham and will start operating about Jan. 1, 1935.

CHARLOTTE, N. C., Sept. 20.—Construction of a theatre will begin within two weeks on the site of the old Imperial building on South Tryon St. T. E. Hemby is principal owner. It will be leased to North Carolina Theatres, Inc. This corporation now operates both the Carolina and the State.

Sees Bars to British Film Import Taxes

(*Continued from page 1*)

were circulated by opponents of films, he said.

Setting up his own estimate against these figures, Rowson stated that America received, in round figures, only $27,500,000 out of total annual takings in British houses amounting to $201,000,000. These represented 1,000,000,000 admissions, he declared.

* * *

Initiating the Gaumont British policy of spectacular exploitation for their pictures in America, Robert Flaherty, director of "Man of Aran," sails on the *Berengaria* with a party of real Aran Islanders scheduled for personal appearances on Broadway.

Tiger King, Michael Dillane, Maggie Dirrane and Pat Mullin, all prominent on the screen in "Man of Aran," were in the party. Previous to the London display of "Man of Aran," their knowledge of the world was confined to the remote island off the West Coast of Ireland on which Flaherty made his film.

* * *

It has been officially confirmed that Fox has signed a lease of the Wembley Park studios to make British pictures, probably on a more ambitious scale. Winfield Sheehan, during his London visit, discussed production plans in detail with Walter Hutchinson, including the possibility of sending Hollywood stars to Fox-British.

* * *

Julius Hagen's new sound stage at Twickenham studios went into active commission Sept. 17.

GFTA Expected to Enter Allied Soon

The G. F. T. A. Independent Theatres' Ass'n of Atlanta in all probability will be the next unit annexed to the Allied fold. Sidney Samuelson, president of Allied, will talk to members of the organization at a two-day meeting, Oct. 1-2 at the Robert Fulton, Atlanta.

Samuelson has two other meetings set for speeches, the Allied Theatre Owners of New York on Sept. 26 at the De Witt Clinton, Albany, and Allied of Michigan which meets in Flint, Oct. 16-17.

On Sept. 25, the New Jersey unit meets again at the Lincoln in New York.

Revive Amateur Nights

ST. LOUIS, Sept. 20.—Old fashioned amateur nights have been revived at a number of houses by the St. Louis Amusement Co. Among these are the Aubert, Mikado, Manchester, Gravois and Maplewood, and the Washington in Granite City, Ill. The results will be watched by other theatre men.

Moore Is Promoted

ST. LOUIS, Sept. 20.—With the reopening of the Orpheum by Warners "Dinty" Moore, former manager of the Shubert-Rialto, has been made district manager. Homer Karmer is his publicity director and assistant.

"THIS FILM A GEM"

—*N. Y. Daily Mirror*

"A delightful comedy . . . Exquisite direction and acting make this film a gem." —*N. Y. Daily Mirror*

"(★ ★ ★) Adolphe Menjou's charming and delightful ability to handle a comedy . . . has never been seen to better advantage." —*N. Y. Daily News*

"Eddie Buzzell's direction gets all the humor from the piece and spices it with a little pathos besides." —*N. Y. American*

"Safely recommend it as thoroughly delightful entertainment." —*N. Y. World-Telegram*

"Cast is so good and the dialogue so enjoyable that the film emerges as amiably diverting entertainment." —*N. Y. Evening Journal*

"Has much to recommend it." —*N. Y. Evening Post*

"Will exert wide appeal because of its very human touches." —*Film Daily*

With
DORIS KENYON
Dickie Moore, Joseph Cawthorn, Reginald Owen, Betty Lawford, Charlotte Henry. Directed by Edward Buzzell. Presented by CARL LAEMMLE.

A UNIVERSAL PICTURE

ADOLPHE MENJOU
in *The*
HUMAN SIDE

IT AIN'T NO SIN-TO SEE

MAE WEST

in

"BELLE of the NINETIES"

STORY AND SCREEN PLAY BY

MAE WEST

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VOL. 36. NO. 70 NEW YORK, SATURDAY, SEPTEMBER 22, 1934 TEN CENTS

Church Ready To Relax Its Films Drive

Cardinal Says Industry Has Chance to Act

ROME, Sept. 21.—Readiness to suspend the drive against objectionable films was expressed here today by Cardinal Mundelein of Chicago so that the industry may be given a chance to prove what it can do to improve the moral tone of the screen.

The following statement was issued by the prelate:

"We are willing to suspend the campaign now to see what the movie producers will make of themselves. We are going to give the movie producers a chance to see what they can

(Continued on page 4)

Archbishop Talks On Legion's Aims

In the first of a series of broadcasts over a nationwide NBC hookup on the Legion of Decency clean film drive, Archbishop John T. McNicholas of Cincinnati, chairman of the Episcopal Committee on Motion Pictures, said last night that "the

(Continued on page 4)

"Empress" Grosses $37,460 at Capitol

"Scarlet Empress" chalked up a gross of $37,460 at the Capitol last week. This is considered a good intake by the management. The Paramount with "She Loves Me Not" for a second week garnered about $35,000.

Business along Broadway yesterday was exceptionally good at the Paramount and Roxy, the former opening with "Belle of the Nineties," which clocked 11,000 admissions up to 6 P. M. At the Roxy, "Chu Chin Chow" tallied $7,000 for the opening day, which is the best first day in some time. The Paramount expects to end the week with a gross of approximately $70,000.

August Ticket Tax Total Is $993,717

WASHINGTON, Sept. 21.—Admission taxes collected by the government last month totaled $993,717, compared with $943,384 in the same month of last year, it was announced by the Internal Revenue Bureau.

Para. Trustee Suit May Not Reach a Jury

Reorganization Is Likely Before Possible Trial

The suit against former Paramount Publix directors brought by trustees of the company to recover up to $12,200,000 expended for repurchase of Paramount stock issued for theatre acquisitions from 1929 to 1932 will not be brought to trial, according to present indications.

This is made apparent because after the reorganization of Paramount Publix the obligation of continuing the suit will rest with the new company, which would be required to

(Continued on page 2)

Merger Talks Set For Fox Circuits

Meetings will be started next week between Milton C. Weisman, receiver for Fox Theatres, and representatives of Fox Metropolitan to merge both circuits, following suggestion Thursday by Federal Judge Manton.

William E. Atkinson, who had been receiver of Fox Theatres until Weisman entered the picture, withdrew as co-receiver. Atkinson resigned some time ago and upon insistence by Judge Manton continued until Weisman was familiar with details of the bankrupt circuit.

Circuit Heads Clash In Office Corridor

Two local independent circuit heads almost came to blows yesterday at the Warner-First National exchange, the fracas being over the Cameo, Yonkers.

Springer & Cocalis had the house

(Continued on page 3)

Sounds Like a Riot

New Orleans, Sept. 21.—The *Tribune*, morning publication, prints this anent the Mae West midnight preview at the Saenger:

"In all my days I never saw such a stampede to get into a movie theatre as the one put on at the Saenger to see Mae West's latest picture. They broke doors, pushed out glasses, tore down railings, stampeded over fainting women and cursed and yelled during the rampage. Some persons stood in line for at least two hours—and some even went so far as to threaten physical injury if they were not permitted to crowd inside—Mae, herself, would have enjoyed the scene."

Theatres Will Await Federal ASCAP Action

Following assurances received Thursday from government officials in Washington that the Federal anti-trust suit against music licensing organizations would be amended to cover exhibitors' complaints against the American Society of Composers, Authors & Publishers and that the suit would be brought to trial before Nov. 1, the exhibitors' legal committee decided yesterday at a meeting in the

(Continued on page 3)

Pathe Seeks Court Help for Meeting

The application of Pathe Exchange for authorization to hold an extraordinary meeting of stockholders to pass on the company's plan of financial reorganization was filed in N. Y. Supreme Court here yesterday by George

(Continued on page 4)

Lindbergh Case Arrest Test of Newsreel Speed

Arrest of Bruno Richard Hauptmann as a suspect in the Lindbergh kipnaping case furnished the newsreels with the second big dramatic event in a few weeks. The other was the *Morro Castle* disaster in which airplanes, boats and automobiles were used in a wild scramble for coverage.

Like the newspapers, the reels did not get a tip on the arrest until afternoon, and the name and address

(Continued on page 3)

Exhibitors to Get Revisions Of Code Costs

Some Levies Complained Of Will Be Changed

WASHINGTON, Sept. 21.—Exhibitor assessments for support of the code administration for the second half of the year will be revised to eliminate unduly burdensome levies complained of by some exhibitors, it was learned today.

No general revision is to be made, but there will be a few changes in some of the categories which will lighten the burden.

Notices of assessment will be sent out as soon as the schedule is revised and the assessments for the producing branch of the industry have been approved, it was said.

At the same time, the reopening of the code for assents is expected to

(Continued on page 3)

Begin Revision of Clearance in K. C.

KANSAS CITY, Sept. 21.—The local clearance board today began revision of the clearance schedule here in conformance with Campi's new principles.

It is understood the clause calling for fixed admissions at subsequent run houses will be eliminated and a substitute clause will be drafted, designed to stabilize prices. The reported changes include setting up

(Continued on page 3)

Huffman Indicates Court Test on Code

DENVER, Sept. 21.—Intention of Harry Huffman to appeal to the courts in an effort to have the code declared unconstitutional is indicated in his appeal brief filed with Code Authority. The appeal is from the decision of the local board ordering him to stop his auto giveaways.

Huffman contends that no one, not even Congress nor the President, has any authority to attempt to regulate any business carried on wholly within

(Continued on page 3)

Hear 4 Indianapolis Individual Protests

Four individual protests against the Indianapolis clearance and zoning schedule were discussed yesterday by a code committee consisting of Jack

(Continued on page 3)

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Sarnoff Dinner Guest

David Sarnoff, president of RCA, and Elmer T. Cunningham, president of the RCA Victor Co., will be guests of honor at a dinner to be given by about 1,000 metropolitan Victor dealers Monday night. The dinner will be held in the Waldorf-Astoria ballroom. Several radio artists are scheduled to entertain.

Ask Aid on Housing

Theatres are being invited by the Federal Housing Administration to cooperate in holding meetings to stir up interest in home improvement during Better Housing Week. The publicity committee of the administration in Washington is supplying details of how this can be done.

New House for Richmond

Richmond, Sept. 21.—Application has been made for a permit to build a $40,000 theatre on West Grace St. by the newly incorporated Grace Amusement Co., Inc. It will seat 500. Clarence Radin, who operated the Rex several years ago, heads the new concern.

Weeks to Leave Monday

George W. Weeks, general manager of Gaumont British in this country, will leave Monday for a trip through key cities to organize his sales force. His first stops will be in Boston and Philadelphia.

Para. Trustee Suit May Not Reach a Jury

(*Continued from page* 1)

bear the burden of the extensive litigation involved. For this and other reasons it appears now that there is little likelihood that the reorganized Paramount will take over the action and force it to trial.

Defendants in the suit, which was filed in N. Y. Supreme Court by Charles D. Hilles, Eugene W. Leake and Charles E. Richardson last spring, will file an amended answer to the complaint within the next few weeks, their original answer having been filed Sept. 15 asking for dismissal of the suit together with costs of the action. After filing of the amended answer it is anticipated that other motions will be filed and argued. The defendants also plan to demand a jury trial which, because of the crowded jury calendar, would mean that the suit could not be tried for at least three years.

If, in the meantime, counsel for the Paramount trustees move for a preference on the jury trial calendar because of the fact that the suit is a bankrupt action, that move, too, would be opposed by the defendants with little likelihood of its being disposed of prior to the reorganization of Paramount Publix and the inception of the new company.

The defendants in the action are: Frank A. Bailey, Jules E. Brulatour, Daniel Frohman, John Hertz, Felix E. Kahn, Gilbert W. Kahn, Sam Katz, Sidney R. Kent, Austin C. Keough, Ralph A. Kohn, Jesse L. Lasky, Elek J. Ludvigh, Sir William Wiseman, Adolph Zukor, Eugene J. Zukor and executors for the estates of Casimir I. Stralem, Emil E. Shauer and William H. English.

Para. Bonds Spurt; Suit Reported Off

Reports that the suit brought by Paramount Publix trustees to set aside an alleged $13,200,000 bank group preference had been formally settled yesterday, clearing the way to a reorganization of the company, apparently were responsible for a spurt taken by the company's three bond issues which sent them to new highs for the year.

Although a settlement of the suit is known to be imminent, no verification of a formal agreement being reached yesterday could be obtained. The bank suit has been the greatest obstacle in the way of completion of Paramount's reorganization plan, although several matters of less importance continue to stand in the way of final submission of the plan. These include court and creditor acceptance of the plan of reorganization for Paramount-Broadway Corp., the subsidiary owning title to the Paramount Bldg. and Theatre in Times Square; the Olympia Theatres reorganization; settlement of the Allied Owners claim of $25,000,000 and a final agreement on the participation basis of Paramount stockholders.

To Form Allied Unit In Maine on Sunday

Bangor, Me., Sept. 21.—A Maine unit of Allied will be formed here Sunday. Plans were completed last week in Boston by Independent Exhibitors, Inc., with which the unit will be affiliated. A meeting will be held at the Bangor House with exhibitors from all over the state in attendance.

Independent Exhibitors will be represented at the meeting by Arthur Howard, its business manager; Walter Littlefield, Edward Ansin, William McLaughlin, Nathan Yamins, Harold Stoneham and Ernest Horstman.

Signs European Contract

According to word from Phil Reisman, vice-president of RKO Export Corp., now touring Europe on a distribution survey, the first European contract for the 1934-35 Radio lineup has been signed with Remaco's Filmbedryf N. V. of Amsterdam. The contract also covers distribution in the Dutch East Indies.

Whitney Going to Coast

John Hay Whitney, president of Pioneer Pictures, Inc., leaves for the coast shortly to rush preparations on "Becky Sharp." This will be Pioneer's first feature in the new three component Technicolor process. Release will be through RKO.

Issues on Big Board Show Gains

	High	Low	Close	Net Change	Sales
Columbia Pictures, vtc	33	32¼	33	+1	200
Consolidated Film Industries	2⅞	2⅝	2¾	+ ⅛	500
Consolidated Film Industries, pfd	12¼	12¼	12¼	+ ¼	100
Eastman Kodak	97½	96	97½	+2½	700
Eastman Kodak, pfd	140	140	140	.....	2,000
Loew's, Inc.	27½	26¾	27½	+ ¾	3,000
Paramount Publix, cts	4¼	4	4¼	+ ¼	9,300
Pathe Exchange	1¼	1	1¼	+ ¼	10,800
Pathe Exchange "A"	13⅜	12¼	13½	+1¼	2,800
RKO	2¼	2⅛	2¼	.....	800
Warner Bros.	4¾	4½	4¾	+ ⅜	2,300

Technicolor Climbs ½ on Curb

	High	Low	Close	Net Change	Sales
Technicolor	13¼	12⅞	13	+ ½	1,200
Trans Lux	1⅞	1⅞	1⅞	.....	100

Most Bonds Move Upward

	High	Low	Close	Net Change	Sales
General Theatre Equipment 6s '40	5⅝	5½	5½	.....	23
Keith B. F. 6s '46	58⅞	58⅞	58⅞	+2⅞	3
Loew's 6s '41, ww deb rights	101¾	101½	101½	— ½	5
Paramount Broadway 5½s '51	39	38	39	+1	7
Paramount F. L. 6s '47	56⅝	53¾	56	+2¼	14
Paramount Publix 5½s '50	57¼	54¼	56	+ ¾	65
Warner Bros. 6s '39, wd	57⅛	55¾	57⅛	+2⅛	40

Purely Personal

Block and Sully, radio comedians, who appeared in "Kid Millions," return to the air Monday. They will do a scene from the picture as they would have directed it.

Sydney Howard, England comedian, who appeared in Reliance's "Transatlantic Merry-Go-Round," sails for home tomorrow on the *Berengaria*.

June Clayworth, who recently signed a contract with Carl Laemmle, Jr., left yesterday by plane for the coast. Her first picture will probably be "I've Been Around."

Ralph A. Kohn, ill for the past several weeks, is expected back on the job in about 10 days.

Lou Goldberg has joined the Gaumont British publicity and exploitation department.

Bernard Mills was in town from Albany yesterday.

Ed Kuykendall will be back in town next Thursday.

Helen Hayes arrives from the coast by plane today.

"Toyland" to Resume

Hollywood, Sept. 21.—After a delay of four weeks Hal Roach's "Babes in Toyland" is slated to resume production next Monday. The picture will launch a busy production schedule with four shorts scheduled to be completed within the next four weeks: two "Our Gang" comedies a Thelma Todd-Patsy Kelly, and a Charlie Chase comedy.

"U" Casts Baby Jane

Hollywood, Sept. 21.—Universal will feature Baby Jane in her next picture, "Straight from the Heart," which B. F. Zeidman will produce. Baby Jane is three years old and appeared in Universal's "Imitation of Life," under her real name, Juanita Quigley.

O'Brien, Cline Coming

Hollywood, Sept. 21. — George O'Brien and Eddie Cline, accompanied by their wives, tomorrow will be on their way to New York, where they will join Sol Lesser, with whom they will sail for Europe Sept. 29 for exteriors for "The Millionaire Cowboy."

Continue Army Study

Hollywood, Sept. 21.—The War Department is continuing to send selected Signal Corps officers here to study production methods. First Lieutenant Charles S. Stoddard is the third officer so assigned. He arrived yesterday.

Oscar Phelps in Crash

Portland, Ore., Sept. 21. — Oscar Phelps, leading exhibitor of Hillsboro, Ore., of which he is mayor, broke two ribs and an arm in an auto wreck caused by a faulty tire.

Fox Re-signs John Ford

Hollywood, Sept. 21.—John Ford has signed a new Fox contract. His first under the new pact will be "Steamboat Round the Bend."

Exhibitors to Get Revisions Of Code Costs

(Continued from page 1)

bring in additional funds for Code Authority. The reopening has been practically decided upon on the ground that so many changes have been made in the document since its adoption that many who did not approve of it originally now want to sign. Exhibitors who assent to the code upon its reopening will be assessed on a pro rata basis for that part of the assessment period during which they become members of the code group.

S. R. Kent and Harold S. Bareford, distributor members of the code finance committee, met yesterday to discuss the new assessment plan for producers and distributors. Their report will be taken up by Campi at next Thursday's session.

Begin Revision of Clearance in K. C.

(Continued from page 1)

clearances between runs instead of basing them on first runs alone.

The board will also revamp the schedules adopted for St. Joseph, Mo., Wichita, Atchison.

Samuel A. Moross, assistant to John C. Flinn, executive secretary of Campi, who has been here advising the local board on the required revisions, leaves tonight for conferences with the Des Moines boards. From Des Moines he goes to Minneapolis, Chicago and Pittsburgh before completing his tour of the middle west and the south.

Huffman Indicates Court Test on Code

(Continued from page 1)

one state. He also holds that when they or any of their appointees attempt to interfere with such a business, they are liable for damages.

All theatre giveaways have been ordered out by the local grievance board, and all but the Huffman case have been confirmed by Code Authority. His case was delayed because the first complaint was thrown out by the board for lack of evidence. Three weeks before the Huffman case was decided the auto giveaways and other drawings were ordered stopped by the police department under a 19-year-old ordinance. The city order is still in force.

An amendment has been introduced in the City Council which, if passed, will remove the city restriction. It has been passed on first reading and ordered published.

Hear 4 Indianapolis Individual Protests

(Continued from page 1)

Cohn, chairman; Charles Reagan of Paramount and Harry Hecht, New Jersey independent exhibitor.

The complaints were submitted in writing with no one on hand from Indianapolis. The cases were: Baxter Amusement Co., Louisville, Ky., against St. Therese Catholic Church Gym, same city; Marion-Washington Realty Co., Marion, Ind., against the Washington, same city; Mars, Lafayette, Ind., against Main, same city; Strand, Muncie, Ind., against Rivoli, same city.

Lindbergh Case Arrest Test of Newsreel Speed

(Continued from page 1)

of Hauptmann was kept secret until quite late. In the meantime camera crews had been rushed to the Greenwich St. Station downtown. When they reached the Hauptmann home in the Bronx the light was beginning to fade.

In spite of these handicaps they managed to get shots of the guards there, the digging around the garage where the ransom money was concealed, and the downtown crews turned in shots of the prisoner, remarks by Police Commissioner O'Ryan in the presence of Col. H. Norman Schwartzkopf of the N. J. State Police and J. Edgar Hoover, head of the division of investigation of the U. S. Department of Justice. Office staffs hastily assembled film reviews of the kidnaping scenes.

First showings of the shots were made on Broadway about 10 o'clock in the evening. Universal reached the Strand and 10 other houses and Fox Movietone News appeared in the Roxy and the Trans Lux. All three reels had complete circuit coverage for the morning shows yesterday.

Universal had a lucky break. It was makeup night. The regular issue was held 25 minutes and shipments were made by air express to all accounts during the night.

Fix Movietone and Hearst Metrotone make up Monday and Wednesday nights. Special issues were rushed out by chartered planes to Boston, New Orleans and Kansas City in time for the afternoon shows yesterday. These clips ran about 350 feet.

Developments occurring yesterday morning—the police lineup, the arraignment, and the jailing of the prisoner—were added. A complete review of the Lindbergh case is to be included for the first issue next week.

Pathe signed up the filling station men who furnished the clues leading to the arrest for exclusive interviews. The complete clip runs about 500 feet.

Paramount had a clip on Broadway at the Paramount Theatre for the late show and said that it reached San Francisco yesterday morning.

Berner J. Rybak, vice-president of Trans-Lux, says it was fulfillment of the newsreel men's long cherished ambition to beat the dailies. He wrote to Allyn Butterfield, editor of the "U" reel, that there was a demonstration when the film came on, because crowds outside were still trying to buy papers giving some of the early details.

Joyce Made Ad Head For RCA Victor Co.

T. F. Joyce, advertising director of RCA Radiotron, was appointed manager of advertising and sales promotion of RCA Victor, including the RCA Photophone division, yesterday, succeeding Pierre Boucheron, resigned.

Joyce has been in charge of advertising for the RCA radio tube division for the past seven years, prior to which he was with the incandescent lamp division of General Electric Corp. The appointment was made by G. K. Throckmorton, executive vice-president of RCA Victor. Boucheron's future plans have not been decided.

G-B, Educ'l Set 2 Years

The deal for Gaumont British distribution of Educational product in the United Kingdom, recently closed by E. W. Hammons with Jeffery Bernerd, is a two-year pact with options for continuance thereafter.

DuWorld Gets "Prisoner"

DuWorld has acquired world rights to "The Prisoner," a short produced by Roman Freluch, Universal cameraman.

Roach Ill at Loew Home

Hal Roach is ill at Arthur Loew's home in Glen Cove, L. I. He is expected to be out of bed within the next few days.

Quigley Award Gets Finlay New Theatre

TORONTO, Sept. 21.—J. J. Fitzgibbons, general manager of Famous Players Canadian, made public today the appointment of Ken Finlay as manager of the new Royal Theatre, which opened in Guelph, Ont., today. Finlay was chosen for the position, according to Fitzgibbons, on the strength of his showing in the competitions conducted by the Managers' Round Table Club of *Motion Picture Herald*, in which he has received honorable mention every month since their inception. He was co-winner of the May Quigley award.

Circuit Heads Clash In Office Corridor

(Continued from page 1)

until five months ago when it was dropped. Abraham Leff, operating nine houses, acquired the theatre two weeks ago and has reopened it since.

When Sam Cocalis met Leff in the exchange, he accused Leff of taking the house away from him. Leff denied the charges which was followed by hot language by Springer. Warner-First National salesmen stepped between the exhibitors and separated them.

Brandt Takes Arcadia

Harry Brandt has taken over the Arcadia, Bronx, making 25 for his circuit. Brandt does not operate all the houses, many of which he is only booking.

White to Coast Shortly

George White leaves for the coast the early part of October to prepare for his second "George White's Scandals," which starts production the middle of November.

Theatres Will Await Federal ASCAP Action

(Continued from page 1)

Paramount Bldg. not to initiate an independent action against A.S.C.A.P. at this time.

The tentative decision was made despite the inability of the exhibitor delegation to obtain a commitment from the Attorney General's office on Thursday that the government would ask an injunction restraining A.S.C.A.P. from placing its proposed music tax increases in effect on Oct. 1. It is understood that the Federal officials advised the delegation against the injunction procedure, holding that an early trial of the Federal action was certain and would provide exhibitors with adequate relief.

The only statement issued following the legal committee meeting yesterday was one from Walter Vincent which said that the committee is now of the opinion that the "situation is being very capably handled by the Department of Justice."

Held Opposed to "Test" Case

It is also understood that George Z. Medalie, recently retained by the exhibitors, expressed doubts over the effectiveness of a separate "test" action. In his opinion, according to reports, a "test" case, even if successful, might bring relief from higher music taxes only to the circuit or circuits in whose name it was brought. Other exhibitors, Medalie held, might be obliged to bring the same action over and over again.

It is now indicated that Medalie will play no immediate active part in the exhibitors' legal campaign.

No relaxation of the exhibitors' campaign to obtain relief from music taxes by Federal legislative means is contemplated. This part of the exhibitors' campaign is understood to have been approved by Department of Justice representatives who urged exhibitors to continue their program and advise Senators and Congressmen of the situation.

Music Tax at Old Rate Turned Back by ASCAP

Music tax payments for the quarter beginning Oct. 1, being remitted by circuits on the basis of the old rate of 10 cents per seat, are being refused by the American Society of Composers, Authors & Publishers, it was learned yesterday.

Checks made out in accordance with the old rate scale are promptly returned to the senders and attention is called to the new increased rates which are scheduled to become effective Oct. 1. Circuits which then make their remittances in accordance with the new schedule are marking their checks "paid under protest" with a view to instituting actions for recovery of the payments if and when legal actions against A.S.C.A.P. are successful.

"Priest" for Music Hall

"Judge Priest," Will Rogers' latest, has been booked into the Music Hall starting Oct. 14.

Church Ready to Relax Films Drive

(Continued from page 1)

do. We do not want to put the movies out of business.

"But we are not taking any chances. We are going to remain organized. In my diocese we have 650,000 signatures of adults without asking promises from the youths.

"We do not ask the movie producers to bring out the 'Pollyanna' type of films. The kind of film which Will Rogers, Janet Gaynor and Victor Moore appear in is what we have in mind. We do not like the Mae West type.

"Let there be a real story, provided it is decent."

The statement was issued following an audience with the Pope at which, however, the film situation was not discussed, according to Cardinal Mundelein.

Archbishop Talks On Legion's Aims

(Continued from page 1)

Catholic church is not a reformer, not a meddler."

"The church realizes," he said, "that if people do not have the right kind of amusement, they will have the wrong kind. The motion picture is the chief amusement of millions of our people, especially of our poor. Its influence for good or evil on children in the formative period of life is incalculable.

"Had the producers of indecent pictures not been checked, and had the films continued on the basis of the last few years, the evil cinema would either have destroyed itself or would have contaminated the general masses of the people and corrupted the youth of our land.

"The Legion of Decency was not formed to make pictures, nor to tell the producers how to make them, but was formed to criticize them from the moral standpoint. It has no professional reformers connected with it. It made one demand only and will be satisfied with nothing else—clean pictures, clean speech and wholesome recreation for the masses of the people who have very little else in the way of recreation in their lives.

"The first objective has been to arouse public opinion. The second duty is to sustain public opinion.

"Constructive criticism is necessary. The whole country has become motion picture conscious. It is most important that every community and every group should recognize the vast possibilities for good in the cinema and should refuse to tolerate pictures that are degrading.

"The Legion of Decency has noticed with gratification the number of cinema artists who have never accepted parts in indecent pictures. These artists have drawn large houses, which is another proof that the American public is clean-minded and desires wholesome entertainment.

"The pressure of public opinion can and should give us clean pictures. Even the listing of pictures will cease if every film produced will conform not only to the moral code but to the spirit of the code signed by the producers. The seal of approval given to pictures should soon be an entirely satisfactory proof that it is worthy. The industry needs a reasonable time to put its house in order."

Looking 'Em Over

"Chu Chin Chow"

(*Gaumont British-Fox*)

An impressive extravaganza, produced lavishly and expensively. It marks a definite challenge by Gaumont British to American producers, a worthwhile effort and designed for major playing time.

The English producing company has spared no expense in turning out this production. Its sets are magnificent and a treat to the eye. Photography, direction, acting are excellent.

Walter Forde, who directed, can take bows for this effort. George Robey, as Ali Baba, is capital; Fritz Kortner, as Abu Hasan, unsurpassed in an important role, and Anna May Wong sincerely portrays her characterization of the spy. John Garrick, Pearl Argyle, Jetsam, Denis Hoey, Sydney Fairbrother, Laurence Hanray, Frank Cochrane, Thelma Tuson and Kyoshi Taske also contribute unusual performances.

The story is that of Ali Baba and the 40 thieves, but instead of Ali Baba leading the plunderers he pilfers Hasan's den of its sparkling jewels and gold. Miss Wong is a spy and cohort of Hasan's, and when she is discovered Hasan subjects her to the severe penalty of grinding the wheels that open the treasure cave. She escapes and in revenge turns on Hasan, causing his ultimate death.

Garrick and Miss Argyle are the lovers, taking every fleeing opportunity to share a few moments together. Garrick has a fine voice and sings a few songs. Other members of the cast likewise supply vocal renditions, accompanied by intriguing music. Running time, 96 minutes.

"Down to Their Last Yacht"

(*Radio*)

A smartly produced and nimble-witted bit of entertainment, "Down to Their Last Yacht" should find a welcome from grown-up audiences. It is a comedy with musical interludes that are pleasant to the ear and afford a chance for some lavish staging effects. The humor is in such capable hands as Mary Boland, Polly Moran, Ned Sparks, Sterling Holloway, Irene Franklin and Tom Kennedy. Other players who do good work are Sidney Blackmer, Sidney Fox and Marjorie Gateson.

The whole thing is played with tongue in the cheek. The idea of a yachting party with the guests made up of the newly rich and the crew of the down-and-out members of the social register set is an intriguing one. When the yacht is beached off a South Sea island, those aboard find themselves at the mercy of the white queen of the natives (Miss Boland). She is foiled in an attempt to have her prisoners blown up with the yacht when Blackmer warns them of her plans. Her crush on Blackmer nearly breaks up his romance with Miss Fox. It is all a bit silly but good fun.

There are several dance numbers beautifully done to fetching music. Herbert Fields and Lou Brock wrote the story and Edward Cronjager handled the photography, which deserves praise. The direction of Paul Sloane is imaginative.

Code seal No. 145. Running time, 64 minutes.

'Monte Cristo' on the Air

"The Count of Monte Cristo" will be broadcast in part next Tuesday evening at 9:30 o'clock on a CBS Preview-By-Ear program. Abe Lyman, bandmaster, will be master of ceremonies and a number will participate in the program. The picture opens at the Rivoli next Wednesday.

Two More for Temple

HOLLYWOOD, Sept. 21.—In addition to "Bright Eyes," which gets into production shortly, Fox has lined up two more stories for Shirley Temple. They are "Old Farm" by Ettie Stephens Pritchard and "Heaven's Gates" by Florence Leighton Pfalzgraf.

Circuit Men Here Soon

Karl Hoblitzelle and Robert J. O'Donnell of the Publix-Hoblitzelle-Dent circuit in Texas arrive in New York next week for product conferences with major company sales executives. The wives of both men are now here.

Porter Browne Passes

NORWALK, Conn., Sept. 21.—Porter Emerson Browne, playwright and author, died here yesterday in the Norwalk Hospital at the age of 55. He had been a patient here since June 7. He is survived by two daughters, Mrs. Suzanne Browne Malkin and Miss Prudence Browne.

Funeral services will be held Saturday at 2:30 o'clock in St. John's Masonic Temple. Burial will be in Riverside Cemetery, Norwalk.

Socialite Sponsors Film

Cobina Wright, art patron and socially prominent, is entering motion picture management in sponsoring "The Blue Light," a picture made in the Italian Alps, which opens at the Fifty-fifth St. Playhouse Tuesday. American rights to the film are owned by Gil Boag and DuWorld Pictures is distributing.

S. & C. After Another

Springer & Cocalis are understood negotiating for the Parkway, Bronx.

Pathe Seeks Court Help for Meeting

(Continued from page 1)

S. Montgomery of Coudert Bros., Pathe counsel.

A hearing on the application was set for Oct. 1. If the court authorizes the extraordinary meeting, stockholders will be given 10 days in which to file objections to the plan and a 90-day notice of the meeting will then be issued. The extraordinary meeting, therefore, could not be held before next January. At that time the plan can be made effective if it is ratified by two-thirds of the shareholders present.

The plan was submitted to stockholders on Sept. 11, but no action was taken because of the lack of a quorum then.

Industry Leaders at "Chu Chin" Opening

Persons prominent in the civic and social life of the city were entertained last night at the Roxy both before and after the first showing of "Chu Chin Chow," Gaumont British musical. Industry leaders and exhibitors were entertained in the executive offices of the theatre following the first showing.

Aldermanic President Bernard S. Deutsch and Mrs. Deutsch, Sir Gerald Campbell, British consul general; Gladys Swarthout, Mr. and Mrs. Martin Saportas, Conde Nast, Mr. and Mrs. Waddill Catchings and others were among the dinner guests of Howard S. Cullman, receiver for the theatre, and Mark Ostrer, head of Gaumont British.

Robert J. Flaherty and a group of men from the island of Aran appeared at the theatre.

Among those who attended the reception following the picture were: George J. Schaefer, Leon D. Netter, Merlin H. Aylesworth, Fred Meyers, Leopold Friedman, Joel Levy, Ben Joel, H. M. Warner, Sam E. Morris, Harold S. Bareford, Clayton E. Bond, Joseph Bernhard, I. J. Hoffman, Clayton P. Sheehan, E. C. Grainger, Arch Reeve, Dan Michalove, William Clark, James A. Clark, Gabriel Hess, Carl E. Milliken, Arthur S. Dickinson, Vincent G. Hart, J. J. McCarthy, Sol Lesser, Ed Peskay, Larry Kent, Harry Rapf, E. W. Hammons, George Dembow, J. E. Otterson and C. W. Bunn.

Clark, Day Returning

William J. Clark, assistant short subject sales manager of Fox, returns Wednesday from a tour of New Orleans, Memphis, Atlanta and Cincinnati exchanges. Harvey Day, business manager for Terry-Toons, is accompanying Clark.

Levy Makes Appointment

Jules Levy, vice-president and general sales manager for the RKO Distributing Corp. has appointed Joseph Myers as salesman in the company's Winnipeg office and Harold W. Boehme as salesman in the Seattle office.

Warners to Do "Dream"

LOS ANGELES, Sept. 21.—Warners will produce "Midsummer Night's Dream" now showing at the Hollywood Bowl under direction of Max Reinhardt. He may also produce the screen version.

The Leading Daily Newspaper of the Motion Picture Industry

MOTION PICTURE DAILY

Alert, Intelligent and Faithful Service to the Industry in All Branches

VOL. 36. NO. 71 NEW YORK, MONDAY, SEPTEMBER 24, 1934 TEN CENTS

Zukor Remains as Head Under New Para. Setup

Reveals Reorganization Plan Calls for This On Arrival Here

Provision for his continuance as head of Paramount is made in the plan of reorganization for the company which is due to be submitted to the Federal district court here within the next two or three weeks, Adolph Zukor stated yesterday on his arrival from the coast.

The Paramount president confirmed reports that the reorganization plan is expected to be ready for submission before Oct. 15 and that it would provide for his continuance as president of the new company. While objections to the plan of reorganization are expected to be encountered from miscellaneous groups of small creditors, lit-

(*Continued on page 6*)

Loew's, RKO Settle Deal For Product

Latter Gets Fox, Half Of "U," Columbia

Loew's has completed product talks with RKO. As a result the latter will get all of Fox and half of Universal and Columbia pictures for 30 theatres in Greater New York.

According to final details arranged with Loew's, RKO will not drop any of the 11 recently acquired independent theatres. By the same token, Loew's will not surrender any of its product to these houses, the transfer taking in only units held previous to the leasing drive.

Indications are RKO is still in a product jam, as far as the 11 new

(*Continued on page 6*)

South Carolina '33 Takes $1,636,000

WASHINGTON, Sept. 23.—Seventy film theatres in South Carolina had gross receipts last year of $1,306,000 and aggregate payrolls of $241,000,

(*Continued on page 6*)

Ten Days Given for Assent Objections

WASHINGTON, Sept. 23.—NRA stated yesterday that a period of 10 days would be given for the filing of objections to the reopening of the code for assents. The reopening has been recommended by Campi and has the approval of NRA officials, and the granting of a period for the filing of objections is merely a formality required before approval can be given.

It is not anticipated that any objections will be offered and it is not planned to hold any hearings on the matter.

Serials Not Shorts

Serials are not considered short subjects, according to a resolution passed by Campi.

The resolution follows:

"RESOLVED: That serial motion pictures shall not be classified as short subjects and be regarded as such within the provisions of Article V-D, Part 5, of the Code of Fair Competition for the Motion Picture Industry."

ASCAP Bases Moves on '26 Gov't Ruling

KANSAS CITY, Sept. 23.—In proceeding with its purpose to increase the music license fee exacted from theatres, the A.S.C.A.P. is relying on a 1926 ruling by the Department of Justice that it is not a combination in violation of the anti-trust law, it is revealed by Maurice J. O'Sullivan of Kansas City, counsel for A.S.C.A.P. in Missouri.

O'Sullivan has been informed by A.S.C.A.P. that it has nothing to fear from the dissolution suit brought

(*Continued on page 6*)

Vincent Asks Fund For ASCAP Action

A war chest to finance the exhibitors' emergency committee fight against increased music taxes proposed for Oct. 1 by A.S.C.A.P., will be necessary despite the committee's decision not to begin an independent

(*Continued on page 6*)

Order Service Cut For a Coast House

LOS ANGELES, Sept. 23.—Following telegraphic instructions from Campi, the local grievance board has issued its first cutoff service order against Feldstein & Dietrich, operators of the San Fernando in San Fernando, for alleged disregard of an order against bank nights.

Instructions have been sent to all

(*Continued on page 8*)

Fox's B'way Tieup

Four Broadway theatres, in addition to the Music Hall, will play Fox product for the coming season. The houses are the Rialto, Loew's State, Palace and Mayfair.

Fox-Hearst Reels Set for Split Oct. 2

With Oct. 2 set as inauguration day for individual M-G-M and Fox newsreels, executives of the Hearst Metrotone and Fox Movietone News are completing final details, girding all forces for the debut of the reels a week from tomorrow.

Both M-G-M and Fox sales executives have been marshalling field sales forces for contracts. News forces in the field here and abroad have been completed by both companies and are now in action for the big splurge.

While M-G-M is backed by 25 Hearst newspapers in principal cities, Fox has effected a tieup with United

(*Continued on page 4*)

N. O. Theatre Levy Made 2% of Gross

NEW ORLEANS, Sept. 23.—The Commission Council has changed the theatre tax to two per cent of the gross instead of one cent on each ticket sold, claiming houses were collecting four per cent by the latter means. Theatres must absorb the tax.

Theatre owners have given notice

(*Continued on page 8*)

Production Seals In East Up to 139

A total of 139 certificates have been issued since July 15 to pictures submitted to the production code administration in the East, Vincent G. Hart, assistant to Joseph I. Breen here, said Saturday.

Of the 139 approved pictures, 16

(*Continued on page 6*)

Finds 23-Hour Run Boosts West Gross

KANSAS CITY, Sept. 23.—The 23-hour continuous showing opening the run of "Belle of the Nineties" at the local Neuman was decidedly worthwhile, according to George S. Baker, manager. The stunt swelled the weekly gross by $2,000, it is estimated.

Advancing the opening a day, the run started Wednesday at midnight and was continuous to Thursday night. The theatre opens at 9 A. M. the first three days of the run.

September Grosses Gain To October, 1933, Levels

Grosses have recovered from the summer slump so rapidly that they are back near the level that prevailed in October, 1933. During the first week of September the total from 22 key cities reporting to MOTION PICTURE DAILY was $1,471,742.

There was a slight recession to $1,372,271 for the second week of September. The opening September

(*Continued on page 4*)

Fain on Marquee

Hollywood, Sept. 23.—Sammy Fain, who penned a couple of musical ditties for "Dames," is becoming marquee conscious.

The Tivoli in his home town of Monticello, N. Y., billed the film as Sammy Fain in "Dames."

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Skouras Gives Out $15,000 in Bonuses

HOLLYWOOD, Sept. 23.—Charles Skouras, trustee of Fox West Coast, Friday presented bonus checks approximating $15,000 to district managers, local managers, projection operators, cashiers and other theatre employes for their work in connection with a 13-week business drive that ended two weeks ago.

The heaviest winner was Nick Turner, district manager for Northern California. The presentations were made at the Ambassador Hotel.

Detroit Ushers on Strike

DETROIT, Sept. 23.—All ushers in United Detroit Theatres walked out last night. Non-union help was installed.

Spokesman for ushers said George W. Trendle had not kept an agreement made at the time of the last strike.

Both neighborhoods and downtown houses are being picketed.

Aylesworth Heads NBC

David Sarnoff, president of RCA, has been elected chairman of the board of NBC, succeeding the late H. P. Davis, who was a vice-president of Westinghouse Electric in addition to the NBC post he occupied prior to his death. M. H. Aylesworth, president of RKO, has been re-elected president of NBC. Sarnoff also is chairman of the board of RKO.

MOTION PICTURE DAILY'S HOLLYWOOD PREVIEW

"We Live Again"

(*United Artists*)

HOLLYWOOD, Sept. 23.—"We Live Again" is a faithful translation of Tolstoy's "Resurrection," but luxuriantly mounted and so modernized as to be a new picture far excelling the previous silent versions, while retaining their great dramatic values. The romance here is vital and heart touching, assuring a wide popularity from adults of both sexes. Anna Sten, as Tolstoy's immortal peasant, gives a performance that justifies Samuel Goldwyn's faith in her. Fredric March, as Prince Dmitri, scores in a difficult role. Jane Baxter, a newcomer, in a bit as March's aristocratic fiancee, is outstanding. The balance of the cast, numbering 15, including Fritzi Ridgeway, C. Aubrey Smith, Ethel Griffies and Sam Jaffee, are blended for well balanced support. Reuben Mamoulian's understanding direction preserves the full power of the original story. Designs and settings by Serge Soudiekin make for great production value. Intelligent story treatment by Maxwell Anderson, Leonard Praskins and Preston Sturges gives the story unique, modern appeal.

Where serious heart interest and human drama are understood and appreciated, "We Live Again" should prove a Class A attraction. Production code seal No. 245. Running time, 83 minutes.

"Student Tour"

(*M-G-M*)

HOLLYWOOD, Sept. 23.—Packed with laugh situations, tuneful melodies, diverting dances and interesting settings, this is topnotch entertainment for everyone. A dance number featuring a dozen ballroom teams with the vocal accompaniments by Nelson Eddy brought spontaneous applause from an entire preview audience.

The story is inconsequential but provides interesting backgrounds for the musical numbers. It deals with a champ college crew selected to represent the United States at the international finals. The co-eds kidnap Charles Butterworth, a philosophy professor, and burn the final exams to insure the school's making the world tour, but the crew, headed by Phil Regan, flunk anyway.

The tour starts when Maxine Doyle, the prim aide of Butterworth's niece, finds a way out. The story from here on is a series of comedy situations and music with a romantic thread carried by Miss Doyle and Regan, with the triangle being aided by Florine McKinney.

Jimmy Durante, as a trainer, supplies the comedy together with Butterworth, with the locales ranging from Shanghai to Monte Carlo. Ralph Spence and Philip Dunne contribute excellent dialogue, adapting from the original of George Seaton, Arthur Bloch and Samuel Marx. The music, by Nacio Herb Brown and Arthur Freed, is captivating. Chester Hale's dances are original. Director Charles F. Reisner's comedy timing is efficient. There is good photography by Joseph Valentine. All performances are good.

Previewed without a production code certificate. Running time, 82 minutes.

(*Additional reviews on page* 8)

Trading Light, Gains Slight on Big Board

	High	Low	Close	Net Change	Sales
Columbia Pictures, vtc	34⅛	33¾	33¾	+ ¾	800
Eastman Kodak	98	97½	98	+ ½	300
Loew's, Inc.	27⅞	27½	27¾	+ ¼	2.400
M-G-M pfd.	26	26	26	+ ¼	100
Paramount Publix, ets.	4¼	4⅛	4⅛	— ⅛	1,300
Pathe Exchange	1⅜	1¼	1⅜	+ ⅛	1,200
Pathe Exchange "A"	13½	13¼	13¼	— ¼	300
Warner Bros.	4¾	4⅝	4⅝	— ⅛	400

Columbia Gains 1⅝ on Curb

	High	Low	Close	Net Change	Sales
Columbia Pictures	33½	33½	33½	+1⅝	100
Technicolor	13¼	13	13⅛	+ ⅛	400
Trans Lux	1⅞	1⅞	1⅞	.....	100

Paramount Publix Bonds Gain ½

	High	Low	Close	Net Change	Sales
General Theatre Equipment 6s '40	6½	6¼	6½	+ ¼	7
General Theatre Equipment 6s '40 etf.	6	5⅝	6	+1	6
Paramount F. L. 6s '47	56½	56	56½	— ¼	8
Paramount Publix 5½s '50	56½	55⅜	56½	+ ½	39
Warner Bros. 6s '39, wd	58	57	58	+ ⅞	34

Purely Personal

ROBERT SHAYNE, who has just finished work in Radio's "Wednesday Child," is rehearsing in the play, "Order Please," which will appear soon on Broadway.

MRS. JOSEPH SEIDER, wife of the president of Prudential circuit, is on the road to recovery after an appendicitis operation at the Medical Arts Center Hospital.

MIKE BOYLAND'S and HARVEY GATES' original, "O'Shaughnessy's Boy," has been purchased by M-G-M for WALLACE BEERY.

MRS. CLARE BOOTHE BROKAW returned from Europe last week to supervise the production of her play, "Abide with Me."

SAMUEL S. BROWN has resigned from Principal Pictures to become associated with a chain store organization.

MINNIE ADELMAN has joined Gaumont British as A. P. WAXMAN'S secretary.

ABRAHAM LEHR is en route here from the coast on his annual business trip. He'll be here about six weeks.

CHARLES KENYON has sold his original story, "Goose and Gander," to Warners.

PAT ROONEY and PAT ROONEY, JR., have been signed for a Vitaphone short.

JEANNE AUBERT completes work today on her third Vitaphone short.

Omaha Paramount Reopens on Sept. 27

OMAHA, Sept. 23.—The Paramount, A. H. Blank's Tri-States ace house, will open Sept. 27 with "Barretts of Wimpole Street." The house has been dark since the first week in July.

It is reported that Blank's effort to secure a reduction in ground rental has fallen through. No manager has been named as yet. Reopening of the house will give the city four first runs.

Zetterman to Dominion

VANCOUVER, Sept. 23.—E. L. Zetterman is now manager of Dominion, first run, double bill Famous Players Canadian house. He has been manager of the Kitsilano, suburban house, and before that assistant to Lloyd Dearth at the Capitol. He has been with the organization five years.

Balaban Joins Radio

HOLLYWOOD, Sept. 23.—A. J. Balaban has closed a deal with Radio whereby he will join that company as an associate producer. Before taking up his duties with Radio, Balaban will sever all his theatrical connections and make a study of studio operations.

Fox Exercises Options

HOLLYWOOD, Sept. 23.—Fox has taken up options on Pat Paterson and Mona Barrie.

Sheehan Will Make Six

LONDON, Sept. 23. — Winfield Sheehan will make six big features on Fox's 1934-35 program.

RADIO CITY MUSIC HALL
ROCKEFELLER CENTER
NEW YORK

OFFICE OF THE
MANAGING DIRECTOR

September 20, 1934

Columbia Pictures Corporation
729 Seventh Avenue
New York City

Gentlemen:

I tried to get in touch with you last night after the close of business to tell you that the Grace Moore picture, "One Night of Love", for its two weeks' showing at the Radio City Music Hall grossed $207,914.28, which is the highest record of any picture on a two-weeks run in our theatre.

May I again congratulate you on this marvelous picture, just as our patrons haven't ceased to congratulate us on showing it? "One Night of Love" is a credit to the motion picture industry.

Yours truly,

W. G. Van Schmus
Managing Director

WGVS:ku

$207,914.28

Fox-Hearst Reels Set for Split Oct. 2

(Continued from page 1)

Press and Scripps-Howard. Universal also has a tieup with Scripps-Howard newspapers, but this will not be affected. In some territories the S.-H. papers publicize more than one newsreel. M-G-M will have exclusive backing of the Hearst organization, which claims a total paid circulation of 8,450,000.

Hearst Metrotone News will have Edwin C. Hill, known on the air as the Globe Trotter and author of a daily newspaper feature "The Human Side of the News." He will dramatize and interpret the news on the screen. All Hearst wagons and newsstands next week will start displaying a picture of Hill as the new newsreel reporter. In addition billboards throughout the country will be used for special advertisements. More than 36,000 locations have been signed.

Mike Clofine Stays

M-G-M's salesmen will publicize the newsreel as "The Five Star Newsreel," listing five features for selling arguments. Mike Clofine continues as editor. A special trailer is being mailed to M-G-M accounts announcing features of the Hearst reel.

In addition to Lowell Thomas as chief announcer, Fox has assigned Ed Thorgersen as sports editor-announcer; Lew Lehr and Louise Vance, on special work, and Vyvyan Donner as fashion editor; Bonney Powell as supervisor, Jack Hanley as assignment editor, Edwin Harvey, makeup editor; William Lowree, cutter; Gen Lowree, supervising cutter; Edmund Reek, news editor; Harry Lawrenson, foreign editor. Several technical innovations under supervision of E. I. Sponable are being added, it is stated.

Takes Over Entire Building

The entire five-story building on Tenth Ave. and 55th Street is now being utilized by Fox Movietone. Three mammoth stages on the first floor will be devoted to the newsreel in addition to new elaborate recording rooms. A 24-hour watch on U. P. tickers will be maintained for news breaks.

When the first Fox issue makes its bow, it will carry the label of Vol. 8, No. 5. The Fox news exits from the Roxy on Oct. 5, when the full Universal newsreel will be the lone attraction. The Roxy has been using clips of both, but will drop the Fox issue, which goes into the Embassy starting Oct. 19.

However, Fox will hold a special world premiere of its newsreel at the Embassy on Oct. 2. Newspaper critics will be invited.

Laemmle Back on Coast

Los Angeles, Sept. 23.—Carl Laemmle reiterated his enthusiastic statements on the condition of Universal's foreign business and the company's plans for expanding its activities abroad, on his arrival here from New York tonight. Laemmle has been away from Hollywood four months, three of which were spent in Europe.

September Grosses Gain To October, 1933, Levels

(Continued from page 1)

grosses were within $87,090 of the high December gross of 1933 and were within $243,082 of the highest point reached in the last 51 weeks, which was the first week in January of this year.

Comparative grosses for the latest available periods:

	Week Ending Sept. 13-14		*Week Ending Sept. 6-7*	
	No. Theatres	Gross	No. Theatres	Gross
Boston	6	$98,500	6	$103,000
Buffalo	6	46,100	6	50,000
Chicago	8	154,000	8	164,000
Cleveland	5	45,200	5	56,700
Denver	5	20,500	5	23,300
Detroit	5	65,700	5	64,400
Indianapolis	5	25,500	5	28,000
Kansas City	5	37,400	5	52,900
Los Angeles	7	74,504	7	98,892
Minneapolis	6	23,600	6	23,500
Montreal	5	40,500	5	42,500
New York	9	313,192	9	311,300
Oklahoma City	4	12,500	4	18,800
Omaha	3	18,000	3	19,000
Philadelphia	8	75,300	8	71,000
Pittsburgh	6	71,900	6	66,700
Portland	6	24,000	6	24,300
Providence	6	34,775	6	43,700
San Francisco	7	85,500	7	93,500
St. Paul	5	18,000	5	18,000
Seattle	6	28,700	6	29,650
Washington	6	68,800	6	68,600
	129	$1,372,271	129	$1,471,742

Comparative grosses compiled from day-to-day reports for 51 weeks show this:

Week Ending	*Theatres*	*Grosses*
September 29-30, 1933	135	$1,342,710
October 6-7	141	1,417,886
October 13-14	143	1,544,838
October 20-21	141	1,581,308
October 27-28	143	1,509,422
November 3-4	142	1,500,740
November 10-11	141	1,379,560
November 17-18	144	1,375,132
November 24-25	141	1,431,209
December 1-2	141	1,418,753
December 8-9	142	1,558,832
December 15-16	139	1,221,032
December 22-23	133	1,071,457
December 29-30	138	1,433,289
January 5-6, 1934	136	1,714,824
January 12-13	138	1,435,649
January 19-20	136	1,305,267
January 26-27	135	1,348,517
February 2-3	135	1,338,371
February 9-10	135	1,270,345
February 16-17	136	1,317,011
February 23-24	136	1,316,421
March 2-3	135	1,350,548
March 9-10	134	1,378,865
March 16-17	133	1,302,020
March 23-24	128	1,291,695
March 30-31	134	1,247,322
April 6-7	135	1,571,695
April 13-14	132	1,360,061
April 20-21	135	1,342,151
April 27-28	133	1,307,764
May 3-4	134	1,256,631
May 10-11	133	1,250,702
May 17-18	133	1,260,655
May 24-25	133	1,209,381
May 31-June 1	132	1,209,113
June 7-8	128	1,123,764
June 14-15	125	1,111,452
June 21-22	127	1,173,017
June 28-29	124	1,076,284
July 5-6	121	1,084,997
July 12-13	116	1,041,876
July 19-20	110	919,932
July 26-27	113	998,285

(Continued on page 8)

"Forever" Is Denver High With $6,000

Denver, Sept. 23.—"Now and Forever" led a general improvement in theatre business here last week by going to $6,000, over the line by $2,000, at the Denver.

"Chained" was also $2,000 up on a $8,000 take at the Denver.

Total first run business was $24,500. Average is $20,500.

Estimated takings for the week ending Sept. 20:

"MURDER ON THE BLACKBOARD" (Radio)
ALADDIN—(1,500), 25c-35c-50c, 7 days, **Gross:** $2,500. (Average, $2,500.)

"NOW AND FOREVER" (Para.)
DENHAM—(1,500), 25c-35c-50c, 7 days. **Gross:** $6,000. (Average, $4,000.)

"CHAINED" (M-G-M)
DENVER—(2,500), 25c-35c-50c, 7 days. **Gross:** $8,000. (Average, $6,000.)

"SERVANTS' ENTRANCE" (Fox)
ORPHEUM—(2,600), 25c-35c-50c, 7 days. **Gross:** $6,000. (Average, $6,000.)

"STRAIGHT IS THE WAY" (M-G-M)
PARAMOUNT—(2,000), 25c-40c, 3 days. **Gross:** $800.

"THE HUMAN SIDE" (Univ.)
PARAMOUNT—(2,000), 25c-40c, 4 days. **Gross:** $1,200. (Average, $2,000.)

'Drummond' Omaha Leader on a Dual

Omaha, Sept. 23.—All three first runs did good business here last week, with "Bulldog Drummond Strikes Back" and "The Great Flirtation" grabbing top honors, $9,500, at the Orpheum. This is $1,500 over the line.

"British Agent" and "Name the Woman" grossed a fine $5,200 at the Brandeis.

Total first run business was $18,700. Average is $16,000.

Estimated takings:

Week Ending Sept. 19:

"YOU BELONG TO ME" (Para.)
"PURSUED" (Fox)
WORLD—(2,200), 25c-40c, 7 days. **Gross:** $4,000. (Average, $4,000)

Week Ending Sept. 20:

"BRITISH AGENT" (Warners)
"NAME THE WOMAN" (Col.)
BRANDEIS—(1,500), 20c-25c-35c, 7 days. **Gross:** $5,200. (Average, $4,000)

"BULLDOG DRUMMOND STRIKES BACK" (U. A.)
"THE GREAT FLIRTATION" (Para.)
ORPHEUM—(3,000), 25c-40c, 7 days. **Gross:** $9,500. (Average, $8,000)

Phillipson Is Guest At Farewell Dinner

About 30 film and trade paper men attended a farewell dinner to Percy Phillipson at the M. P. Club Saturday night. Phillipson has been here since the first of the year working on a reorganization plan for General Register Corp. and is scheduled to return to London on Wednesday.

Edward Klein, a former Ampa president, now engaged in London as a film exporter, was master of ceremonies.

Among those attending the dinner were Charles Alicoate of *Film Daily*, Joe Gallagher of Associated Publications; Mark Ostrer, British Gaumont head; Edward A. Powers, advertising manager of General Register, and James P. Cunningham, Ray Gallo and Sherwin Kane of Quigley Publications.

FIRST ON BROADWAY

•

Universal Newsreel pictures of the "break" in the

LINDBERGH CASE

hit the Broadway screens at 10 P.M. Thursday . . . .

Before midnight Thursday these special scenes were on airplanes heading for every first-run theatre in the country . . . .

. . . . that's service!

•

UNIVERSAL NEWSREEL

ASCAP Bases Moves on '26 Gov't Ruling

(Continued from page 1)

by the Government because there has been no change in the law since the 1926 determination. After an investigation by the special agents over a period of almost two years, the Department of Justice at that time reached the conclusion there were no grounds for proceeding against the society because none of its transactions were in interstate commerce.

The seven-year-old ruling is relied upon by A.S.C.A.P. representatives to answer protests that the music tax is illegal. The investigation was made as the result of a large number of complaints received by the department from exhibitors and others who objected to the tax.

The department found the only question for determination was whether operations of A.S.C.A.P. in receiving copyright assignments from its members and licensing the right to perform music for profit in public places constituted a "combination which restrained trade and commerce within the probihitions of the Sherman Act."

Held No Interstate Commerce

It concluded "that the American Society has nothing whatsoever to do with the published music or with any physical objects which enter into the course of interstate commerce, and that it has been held repeatedly by the courts that acts similar to the granting of licenses for the local performance of music in a place of amusement do not constitute interstate commerce, even when the contracts are entered into in a different state from that where the performance may take place."

No decision was reached in reference to the licensing of radio broadcasting stations because of the unsettled state of the law relating to radio at that time and the possibilities of Congressional enactments at the next session.

O'Sullivan has a copy of a letter from Millard F. Hudson, chief examiner of the Federal Trade Commission, to Sidney S. Cohen, president of the M.P.T.O., under date of Jan. 2, 1923. The exhibitors' organization had charged A.S.C.A.P. with violation of the law against unfair methods of competition by the imposition of the reproducing fee.

The commission concluded the case was not one "calling for the exercise of the Commission's corrective powers." Hudson stated the chief reason was that the making of a claim for royalties, apparently in good faith, could not be said to constitute "an unfair method of competition in commerce."

Vincent Asks Fund For ASCAP Action

(Continued from page 1)

legal action at this time, Walter Vincent, chairman, said Saturday.

Exhibitors have been urged to contribute on the basis of one cent per seat. Checks have been received from large circuits, both independent and affiliated, but additional funds are needed to carry on the planned activities, Vincent said.

Representatives of the Department of Justice have advised the committee that the Federal anti-trust suit against the music licensing groups will be amended to cover exhibitor complaints against A.S.C.A.P and the suit will be brought to trial before Nov. 1, Federal officials believe. Vincent intimated that war chest funds will be needed to bring exhibitor witnesses to New York to testify in the Federal action and that propaganda and other activities will require financing also.

"We can take no action whatever without money," Vincent said.

While contributions are coming in from circuits and M.P.T.O.A. members, Allied States and T.O.C.C. are taking no active part. The policy of both organizations is to leave the matter entirely up to the individuals.

Production Seals In East Up to 139

(Continued from page 1)

were features. The feature list, however, is continually growing here with pictures being submitted by Mundus, United Artists subsidiary; London Films, British & Dominions, Gaumont British and other English and foreign language producing concerns that are active in the American market. In addition, there are the feature productions from Eastern Service Studio and Biograph, including the Hecht-MacArthur and Harold B. Franklin pictures.

The first independent production made in the East to receive a production code seal was "Convention Girl," made at Biograph by David Thomas and distributed by First Division. Three Gaumont British pictures received the seals last week. They are "Chu Chin Chow," "Power" and "Little Friend."

Legion to Have Big Parade of Children

CHICAGO, Sept. 23.—Local campaign of the Legion of Decency directed toward enrollment of school children in the movement will be started here next Thursday with a parade in which 50,000 Catholic youth will march. The students will be from the seventh and eighth grades of 250 parochial schools as well as from high schools, colleges and universities, and will include Boy Scout troops and affiliated organizations.

A reviewing stand will be erected on Michigan boulevard which will be occupied by Governor Horner, Archbishop McNicholas of Cincinnati, Bishop B. J. Sheil, Bishop William J. O'Brien, Admiral Wat T. Cluverius, Mayor Kelly and other notables.

Columbia Signs Light

HOLLYWOOD, Sept. 23.—George Light has joined Columbia as a member of the casting office.

Zukor Remains as Head Under New Para. Setup

(Continued from page 1)

tle delay in reorganizing after submission of the plan is anticipated, as the essential creditor elements whose approval is necessary for adoption of the plan are in virtual accord at this time, it was learned. Among these is the Paramount bank group, creditors for $13,200,000, who are being sued by the Paramount Publix trustees to set aside a preference alleged to be involved in their claim. The suit is regarded as the greatest obstacle to concluding the company's reorganization plan. A settlement of the action is expected to be announced this week.

That Zukor will continue to spend much of his time on the coast following the Paramount reorganization was made clear yesterday when he stated that he would remain here only until after the reorganization and would return to Hollywood as soon thereafter as possible.

South Carolina '33 Takes $1,636,000

(Continued from page 1)

according to figures made public by the U. S. Census Bureau.

There were also seven vaudefilm houses, with gross receipts of $330,000 and aggregate payrolls of $77,000, it was reported.

Three of the film and five of the vaudefilm theatres were located in Charleston, the former reporting total receipts of $65,000 and payrolls of $19,000 and the latter receipts of $235,000 and payrolls of $58,000. The city of Columbia reported five film houses, with receipts of $278,000 and payrolls of $43,000.

Gross receipts of 141 Connecticut theatres last year were $7,672,000, of which $1,447,000 went for payroll expense.

A total of 125 film theatres was operated in the state in 1933, with gross receipts of $5,812,000 and total payroll of $1,116,000, while 16 legitimate and vaudefilm houses took in $1,860,000 and had an aggregate payroll of $331,000.

The report covered operations in a number of the largest cities, showing 14 film theatres in Hartford with receipts of $1,026,000 and payrolls of $222,000, and three vaudefilm houses with receipts of $394,000 and payrolls of $82,000; 11 film houses in New Haven with receipts of $619,000 and payrolls of $102,000 and three vaudefilm spots with receipts of $490,000 and payrolls of $72,000; 13 film theatres in Bridgeport with receipts of $464,000 and payrolls of $86,000, and four vaudefilm with receipts of $521,000 and payrolls of $92,000; six film houses in New Britain with receipts of $397,000 and payrolls of $66,000, and nine film houses in Waterbury with receipts of $555,000 and payrolls of $104,000.

Al Shean with Vallee

HOLLYWOOD, Sept. 23.—Al Shean, of the famous comedy song team of Gallagher and Shean, has been handed a featured role in Warners' "Sweet Music," topping Rudy Vallee.

Loew's, RKO Settle Deal For Product

(Continued from page 1)

houses are concerned. Officials of the circuit have yet to straighten out clearances and protection with George Skouras of the Skouras circuit and Sam Rinzler and Louis Frisch of Randforce before the Loew product switches become effective.

Loew's has made concessions to RKO in an effort to help the circuit out of its booking difficulties. Although it has given RKO all of Fox, Loew's retains first choice on Universal and Columbia.

RKO has a number of theatres in Skouras and Randforce territory. Both independent cicuits have 10-year franchises with Fox, which prevent RKO from getting Fox product unless the independents consent with the distributors' approval. This is practically certain.

May Enter Pooling Deal

It is possible RKO may enter a pooling deal with Skouras and Randforce, similar to the one which expired two months ago. Negotiations are now under way between circuit heads and are expected to be completed by the end of the week. Speed is necessary because new releases are being held up until the situation is threshed out.

RKO will have around 110 features from major companies for the 11 newly added houses and will have to go to independents for additional releases. While Loew's originally insisted that RKO dispose of the 11 theatres, one way or another, Nicholas M. Schenck is understood to have given permission to RKO to keep them, after it was learned the circuit was finding it difficult to turn them back to the original operators.

One deal was with Meyer & Schneider for the Apollo and Hollywood. RKO spent $20,000 in remodeling the houses. M. & S. are said to have demanded $100,000 more than RKO offered for settlement of the leases. Lee Ochs, who leased four houses in the upper Broadway section, is now in Europe and may not be back for several months.

All leases are for one year and it is understood that when the terms expire RKO will drop the entire group.

New Orleans Review System Stirs GFTA

NEW ORLEANS, Sept. 23.—Indignant over the star reviewing system and the style employed by some reviewers in covering pictures, the Gulf States Theatre Owners' Ass'n has protested to the *Item,* afternoon newspaper here, and has asked for a change. Exhibitors want the star rating abolished and elimination of the "negative" type of reviewing. Indignation is centered on Kenneth T. Knocloch, novelist and newspaperman, whose frank expressions of opinion have been sending showmen down to the *Item's* business offices at the rate of one a week.

Pick "Adios Argentina"

HOLLYWOOD, Sept. 23.—Lou Brock's next feature musical for Radio will be titled, "Adios Argentina."

MILLIONS to IMPROVE THEATRES

$33,000,000 in Government-guaranteed loans are available, under the National Housing Act, for modernization of the nation's motion picture theatres.

Because this money can be secured easily and because the need for improvement is so great, thousands of theatre owners will call for Government credit, beginning the greatest period of remodeling, repairing and re-equipping in the history of the motion picture industry.

Alert to the importance of the time, BETTER THEATRES, acknowledged authority on theatre maintenance, has placed its staff and resources wholly in the service of its thousands of readers.

All its departments will be amplified to meet quickly the demands for immediate information—answers will be published to give them the widest currency—the work of the regular staff will be supplemented by contributions of authoritative leaders in all fields of theatre design and operation.

Peter M. Hulsken, J. T. Knight, Jr., and F. H. Richardson—all of whom have greatly influenced the physical operation of the theatre in America—will concentrate their efforts in support of the Government's theatre restoration program.

BETTER THEATRES began the campaign with the current September issue. The Fall Buyers' Number, out in October, will give emphasis and direction to the movement. Succeeding issues will carry on the work of restoring the motion picture theatre to the level of greatest usefulness.

The Fall Buyers' Number (Out October 20) will contain the following notable features among others:

PLANNING THE THEATRE. A service conducted by PETER M. HULSKEN, A.I.A., a question and answer department dealing with practical remodeling problems.

MAINTENANCE TABS. Conducted by J. T. KNIGHT, JR., a department devoted to the efficient operation of the physical theatre.

COMMENT ON PROJECTION. Conducted by F. H. RICHARDSON, leading authority on projection in America.

NHA insigne

BETTER THEATRES

1790 Broadway

New York City

"One Night" Pulls $9,000 in Buffalo

BUFFALO, Sept. 23.—Hot weather bothered the opening of "One Night of Love," which fell $1,000 short of an anticipated $10,000, but still was $3,500 over normal and was held for a second week. Addition of the McLarnin-Ross fight pictures in the Lafayette started the second week off at a brisk pace.

"The Affairs of Cellini," still slightly under par, was the Great Lakes' best since reopening at $9,200.

Total take was $46,700. Average is $46,300.

Estimated takings for the week ending Sept. 21:

"THE FOUNTAIN" (Radio)
BUFFALO—(3,500), 30c-55c, 7 days. Stage: Lamberti; Florence & Alvarez; Three Jackson Boys; Edna Sedgwick; June Purcell. **Gross:** $15,100. (Average, $14,300.)

"KISS AND MAKE UP" (Para.)
"UPPER WORLD" (Warner Bros.)
CENTURY—(3,000), 25c, 7 days. **Gross:** $5,400. (Average, $6,000.)

"THE NOTORIOUS SOPHIE LANG" (Para.)
"WE'RE RICH AGAIN" (Radio)
COURT STREET—(1.200), 25c, 7 days. **Gross:** $700. (Average, $1,500.)

"THE AFFAIRS OF CELLINI" (U. A.)
GREAT LAKES—(3,000), 25c-40c, 7 days. **Gross:** $9,200. (Average, $10,000.)

"BRITISH AGENT" (F. N.)
HIPPODROME—(2,100), 25c-40c, 7 days. **Gross:** $7,300. (Average, $8,000.)

"ONE NIGHT OF LOVE" (Col.)
LAFAYETTE—(3,000), 25c, 7 days. **Gross:** $9,000. (Average, $6,500.)

N. O. Theatre Levy Made 2% of Gross

(*Continued from page* 1)

that they will fight the levy, asserting it represents "class legislation." They have been inspired in their opposition to the levy by the fact that the city's newspapers, which were taxed two per cent on their gross volume of advertising, have been successful in obtaining an injunction on a similar claim. The theatre men hold they have just as much right to an injunction.

All football games in which Loyola and Tulane, both of which are in this city, participate will not be subject to taxation, although the universities net several thousand dollars on each contest. Also free of taxation will be any amusement that is educational or that devotes its proceeds to charitable purposes.

Horse racing will be exempt from taxation since the track owners have convinced the city fathers that the sport is educational because it teaches much about riding.

St. Louis Aldermen Put Off Tax Action

ST. LOUIS, Sept. 23.—Tax action has been put off by the Board of Aldermen to next Wednesday as a result of a rising wave of protest. The present proposal calls for a one per cent income levy on all businesses.

Latest development in the tax controversy is the announcement of Alderman Otto Listchen of the Third Ward that he will introduce a measure authorizing a municipal lottery to raise funds for the city's deficit.

Fox to Do "Two Cities"

HOLLYWOOD, Sept. 23. — Charles Dickens' "The Tale of Two Cities" is to be produced by Robert T. Kane for Fox with Frank Lloyd directing.

MOTION PICTURE DAILY'S HOLLYWOOD PREVIEW

"Tomorrow's Youth"

(Monogram)

HOLLYWOOD, Sept. 23.—This is a good story, well directed, cast and produced. The yarn deals with John Miljan and Martha Sleeper, whose marriage is wrecked by gold digging Gloria Shea. In order to protect their son, Dickie Moore, from scandal of a divorce court, they separate. The story here becomes Dickie Moore's, who is shoved about from parent to parent like a valuable toy. Oppressed by his father's wealth and tired of the rigid rules set down by his tutor, Franklin Pangborn, Dickie falls trying to join a neighborhood gang of tots via a garden wall. The necessity of an operation brings the mother and father together, only to be separated again by Miss Shea. The story ends in the divorce court, where Dickie, in tears on the witness stand, brings his mother and father together.

The members of the cast carry their responsibilities in fine form, particularly Dickie Moore. Pangborn is good for many laughs. It is a good program picture. Charles Lamont directed. The photography by Jack McKenzie is satisfactory. Production code seal No. 225. Running time, 60 minutes.

Looking 'Em Over

"Even Song"

(Gaumont British)

LONDON, Sept. 23.—Musical of the grand opera variety, with Evelyn Laye starred in an adaptation of the Knoblock-Nichols play. Offers vocal fireworks, reminiscent in material and quality of those of "One Night of Love," in the unusual setting of a story tragic in theme and climax, though stressing sentimental and comedy values most of the way.

Although it starts like a fairy story, it develops into a study of disillusionment, for the leading character is a penniless Irish girl who becomes a prima donna only to lose lovers, voice and at last life as she plays a gramophone record of a past performance to drown the song of the rival who has supplanted her.

The ending is not of the kind the fans like best, and it cannot be said that it is artistically inevitable. Singers lose their voices in the natarul course of nature and there seems no very good reason why the mature Maggie McNeil (Madame Irela) should not have consoled herself with the Austrian archduke who, parted from her before the war. wants to marry her after. However, if a happy ending would have been permissible, it would have been less effective in one way than that provided by the authors.

The artistic battle between the aging star and the new one, Baba, is admirably presented. Irela tries to out-sing the Spanish newcomer in "Boheme" and is herself out-sung and forced by the calls of the audience to yield the curtain to Baba. Conchita Supervia and Evelyn Laye both sing magnificently here. Right through the vocal work is admirable and should make the picture a safe bet with music lovers.

The good points of "Even Song" well outnumber the bad ones. A feast of good singing, it is well directed by Victor Saville, and the cast is good, with Carl Esmond, the archduke, outstanding among the straight performers. Running time, 87 minutes.

BRUCE ALLAN

September Grosses Gain To October, 1933, Levels

(*Continued from page* 4)

August 2-3	112	1,010,499
August 9-10	113	1,102,887
August 16-17	112	1,044,965
August 23-24	114	1,241,121
August 30-31	116	1,261,278
September 6-7	129	1,471,742
September 13-14	129	1,372,271

(*Copyright, 1934, Quigley Publications*)

"Richest Girl" Is Providence Leader

PROVIDENCE, Sept. 23.—The textile strike here seems to have sent more and more people flocking to theatres. Five houses in downtown Providence hung up par or better, which is something to brag about. The biggest take of the week, $9,200, went to the RKO Albee with "The Richest Girl in the World" and vaudeville. Next in line came Fay's with another program of film feature and five acts of vaudeville, while both the Strand and Majestic, with two-feature films booked, were well in the black.

Total first run business was $39,200. Average is $40,500.

Estimated takings for the week ending Sept. 20:

"DEATH ON THE DIAMOND" (M-G-M)
"OUR DAILY BREAD" (M-G-M)
LOEW'S STATE—(3,800), 15c-40c, 7 days. **Gross:** $7,500. (Average, $12,000)

"THE SCARLET EMPRESS" (Para.)
"KING KELLY OF THE U. S. A." (Mono.)
STRAND—(2,300), 15c-40c, 7 days. **Gross:** $6,500. (Average, $6,500)

"ONE MORE RIVER" (Univ.)
FAYS—(1,600), 15c-40c, 7 days. Society Dubutantes heading stage bill. **Gross:** $7,900. (Average, $7,000)

"SERVANTS' ENTRANCE" (Fox)
"CHARLIE CHAN IN LONDON" (Fox)
MAJESTIC—(2,400), 15c-40c, 7 days. **Gross:** $7,000. (Average, $7,000)

"RICHEST GIRL IN THE WORLD" (Radio)
RKO ALBEE—(2,300), 15c-40c, 7 days. Fred Lightner and Smart Set Revue. **Gross:** $9,200. (Average, $7,000)

"GIRL IN DANGER" (Col.)
"BURN 'EM UP BARNES" (Mascot)
RKO VICTORY—(1,600), 10c-25c, 4 days. **Gross:** $1,100. (Average, $1,000)

Dubinskys Lose Two In Jefferson City

KANSAS CITY, Sept. 23.—After 10 years of continuous operation, Dubinsky Bros will be obliged to vacate the Jefferson and Miller theatres in Jefferson City, Mo., the local grievance board ruled Friday in dismissing Dubinsky's complaint against Harry Sodini.

Sodini recently leased the properties before Dubinsky could complete negotiations with the landlord to purchase them. The board found, however, that Dubinsky Bros. had certain rights and has referred the case to Campi for review.

Order Service Cut For a Coast House

(*Continued from page* 1)

distributors to stop service to this company on all contracts made after Dec. 6, 1933, when the code went into effect.

In spite of the order Feldstein & Dietrich had a bank night last Friday. They say they intend to test the order in Federal court.

Fox, Principal and the American Amusement Co., operating the Oxnard, have been summoned before the board Tuesday to show cause why a stop service order should not be imposed for alleged violation of the bank night ruling by the Oxnard.

ITO to Talk Clearance

HOLLYWOOD, Sept. 23.—The I. T. O. of Southern California will hold a mass meeting Tuesday to air views on the clearance schedule and to appoint one or two representatives to go to New York for conferences with Campi.

The Leading
Daily
Newspaper
of the
Motion
Picture
Industry

MOTION PICTURE DAILY

Alert,
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in All
Branches

VOL. 36. NO. 72 NEW YORK, TUESDAY, SEPTEMBER 25, 1934 TEN CENTS

Detroit Sees Outlook Good For the Fall

Prospects Held Best in Last Three Years

DETROIT, Sept. 24.—With all first runs except the Downtown open for the first time in many months, theatre prospects here are regarded as brighter than at any time during the past three years. Duals are spreading, however.

Latest to join the dual ranks is the State, opened a few days ago, and the Adams. The Fisher, midtown spot, is switching to second run duals with a pit orchestra. This is the first stage show at this spot since last fall.

General reconditioning is being done among the neighborhood spots. This includes painting, installation of new seats, screens and sound equipment.

In addition, one new house, the

(Continued on page 4)

Production Gains By Four Features

HOLLYWOOD, Sept. 24.—Production activity for the week ending Sept. 22 shows an increase of four features over the preceding week and a decrease of the same number in shorts.

Features in work total 36 with six shorts. Twenty features and nine shorts are reported in their final stages of preparation ready to start

(Continued on page 4)

Colorado's Grosses $2,599,000 in 1933

WASHINGTON, Sept. 24.—Gross receipts of 101 film houses in Colorado last year were $1,997,000 and payrolls totalled $526,000, according to the U. S. Census Bureau.

There were 22 other theatres in the state—legitimate and vaude-film—with a gross of $602,000 and payrolls of $114,000.

Denver had 29 film houses, reporting gross receipts of $1,142,000 and aggregate payrolls of $342,000, while Pueblo had eight film theatres with receipts of $160,000 and payrolls of $36,000.

First Division Set to Hold Four-Day Meet

All branch managers, salesmen and bookers of First Division will hold a four-day convention at the Park Cen-

(Continued on page 4)

Miami Places Heavy Tax on Music Agents

Sets Fee at $2,500; No Men There, ASCAP

MIAMI, Sept. 24.—The fight against A.S.C.A.P. has taken a new slant here. Under the terms of a city ordinance just passed agents of any organization collecting a music tax must have a city license costing $2,500.

It is called an ordinance "providing for the registration of all persons, firms and corporations engaged in certain businesses, professions or occupations," but under the terms of one of its sections "royalty and copyright agents and salesmen," against whom the tax is aimed, are described as follows:

"Royalty and copyright agents and salesmen shall mean each person, as

(Continued on page 6)

Basic Operators' Scale Nearly Set

A basic scale for operators according to classifications of theatres is expected to be ready within the next 10 days, it was learned yesterday following a meeting of the NRA fact finding committee. Those who met were Harlan Holmden, temporarily in charge of Local 306; Major Leslie E. Thompson of RKO, chairman of

(Continued on page 4)

Loew Foreign Sales Awards Are Restored

Prior to his sailing for South America, Arthur Loew restored prize offers for the first four foreign M-G-M branches making the highest sales quota.

During vacation time, Loew personally paid all his employes a week's extra salary. Prizes for foreign offices were discontinued two years ago when salary cuts were put into effect.

"Pirate Treasure" Stirs M-G-M's Ire

CLEVELAND, Sept. 24.—Charging unfair trade practices in advertising "Pirate Treasure" prior to the booking of "Treasure Island," Frank Drew, M-G-M branch manager, has filed a complaint with the grievance board against C. W. Brickert, Palace, Ashland, O. The case is set for a hearing Oct. 1.

Ship Fire Barred

Vancouver, Sept. 24.—The Colonial here put a large sign atop the marquee: "We are NOT showing newsreel pictures of the Morro Castle disaster."

Expect Early Resignation From Johnson

WASHINGTON, Sept. 24.—Although neither NRA officials nor industry representatives will substantiate the rumor, reports continue current that General Hugh S. Johnson will hurdle the fence between the government and the industry and be given a prominent job with the latter, the stipend being said to be around $100,000.

Johnson is due to leave the Recovery Administration momentarily and, in fact, failed to return last week

(Continued on page 4)

Atkinson Continues Fox Theatres Head

William E. Atkinson continues as president of Fox Theatres Corp., despite his recent resignation as co-receiver. Atkinson plans to spend all of his time at his Virginia home after he winds up a few details as co-receiver.

He may resign as head of the circuit, but nothing definite has yet been decided upon, Atkinson stated yesterday. He returned from Boston yesterday after taking his son there to enter college.

Hill Will Be Only Hearst Reel Talker

Edwin C. Hill will be the lone announcer and interpreter of the Hearst Metrotone News in its new form, E. B. Hatrick, general manager of Hearst's film interests, stated yesterday.

Hill will interpret all subjects himself, Hatrick stated. In addition to

(Continued on page 4)

Schwartz Condition Low After Shooting

CLEVELAND, Sept. 24. — Ernest Schwartz, prominent local attorney and president of the Cleveland M. P. Exhibitors' Ass'n., is in a critical condition today after having been shot in

(Continued on page 4)

Para.'s New Plan Delayed By Subsidiary

B'way Bondholders Ask Foreign Accounting

Paramount Publix was brought face to face yesterday with the prospect of a delay in its plan to reorganize when Referee John E. Joyce postponed until Oct. 22 a hearing on the reorganization of Paramount Broadway Corp.

The understanding yesterday was that before any action can be taken on the Paramount Publix reorganization plan the outcome of the move to reorganize Paramount Broadway must be awaited because of the size of the claims held by the latter against the parent company. Paramount Broadway holds title to the Paramount theatre and building in Times Square. It has pending total claims of $178,000,000 against Paramount Publix,

(Continued on page 6)

Skouras, RKO Talk About Clearances

Conferences were held yesterday between RKO representatives, George Skouras, Louis Frisch and Sam Rinzler in an effort to straighten out clearances on Fox product as a result of Loew's turning over the entire lineup to RKO for 30 houses.

Skouras and Randforce hold 10-year franchises on Fox films, and before RKO can get the product, it must get approval from the independent exhibitors and Fox.

There is talk that Skouras may pool some of its houses with RKO in a deal which will involve an exchange of product.

Row Over Clearance Going Before Campi

Fireworks are expected at the next Campi meeting Thursday when the entire body will hear and decide a local clearance issue which has been the subject of much discussion locally.

The case involves Loew's and Trio-Consolidated. After handing down a

(Continued on page 4)

Effects Are Vital, Pete Smith States

Selection of sound effects and gags are vitally important in the production of shorts, Pete Smith states.

A lot of subjects can be made entertaining by using gags and sound

(Continued on page 4)

MOTION PICTURE
DAILY
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Olmstead Temporary Successor to Brown

Ed Olmstead, exploitation head of Columbia, has temporarily taken over George Brown's duties until a successor is appointed.

Joe Weil on Campaigns

Joe Weil, assistant to Carl Laemmle, who returned with the "U" president from Europe last week, is staying in town to do special exploitation campaigns on seven specials, the first two of which are "Imitation of Life" and "Great Expectations."

Back from Location

The company that was sent to Tuxedo and Suffern, N. Y., a month ago for exteriors for the Ben Hecht-Charles MacArthur production, "Laugh, Little Clown," has returned from location.

Goldsmith Brought Back

Charles Goldsmith, formerly manager of the M-G-M office in Trinidad, has been transferred to the home office foreign department, where he has already taken up his new duties.

Harry Rapf in Town

Harry Rapf flew into town yesterday to meet his son, Maurice, who arrived from Russia. Rapf returns to the coast tomorrow.

Franklin Gets Out Book on "Gambling"

Harold B. Franklin has just gotten out a tricky little book on an exploitation stunt on the first Franklin production. "Gambling," produced at the Eastern Service Studios for Fox release.

After reading the cover wording, "America's most successful showman in a showman's picture, produced by showmen for showmen," the reader turns to the inside and finds some introductory remarks about George M. Cohan and Franklin. When the center of the book is opened, a stage opens in the middle. Cohan's head appears in a mass of gold dollars behind a fence with a microphone at one end and a theatre at the other.

Rowland V. Lee, director, has completed "Gambling" four days ahead of schedule. A trailer has been made showing Lee directing Cohan, star and author.

Cadigan Dinner Guest

Boston, Sept. 24.—James L. Cadigan, manager of the film and projection department of the Paramount exchange, was guest of honor at a dinner at Hotel Touraine. He was presented a purse by some 150 admirers. Speakers included William Erbb, division manager; Major P. J. Healey of the Public Safety Department and Harry Browning of M. & P. Theatres. Thomas Duane was master of ceremonies.

Technicians to Meet

Hollywood, Sept. 24.—"Transitions and Time Lapses" will be the subject of the first fall meeting of the Technicians' Branch of the Academy scheduled for Thursday night. Producers, directors and assistant directors have been invited to attend. Papers will be read by Fred Jackman, Anne Bauchens, Slavko Vorkapich, Loren Ryder and Martin Cohn.

Lesser Out of Principal

Sol Lesser has sold out his interests in Principal exchanges throughout the country. The exchanges are now being operated by independents.

Hal Roach Out Again

Hal Roach has recovered from an illness which kept him in bed for a few days.

Hoffman Will Boost Liberty List to 12

Prior to his departure for the coast, M. H. Hoffman, president of Liberty, completed arrangements to boost the company's current schedule to 12, an increase of four pictures. Production costs on the additional quartet will be boosted.

Hoffman has canceled plans for a European vacation to devote his time to the new pictures. The eight originally planned are completed.

Dumestre's Mother Killed

Atlanta, Sept. 24.—Mrs. Mary Dumestre, 68, of New Orleans, mother of Jack B. Dumestre, Jr., Atlanta branch manager for RCA-Photophone, died from injuries received in an automobile accident in that city last week. Otto Johnson, five, also of New Orleans, nephew of Dumestre, died from injuries received in the same accident. Mr. and Mrs. Dumestre went to New Orleans for the double interment.

Steven Reardon Passes

Steven Reardon, Broadway character, who retired from the police force 20 years ago, died at his home, 210 West 78th St., yesterday at 70 years of age of a heart attack. Services will be held tomorrow morning at Holy Trinity Church on West 82nd St., with interment at Calvary Cemetery.

Chaplin Signs Pogany

Hollywood, Sept. 24.—Willy Pogany, artist, illustrator and scenic designer, has been signed by Charles Chaplin as art director for his forthcoming production. Pogany will design and supervise the construction of all sets used in the film.

Will Show Televotes

Nevil Monroe Hopkins will give a demonstration of Televotes, a machine for recording votes of an audience on questions of interest of the day, at the Waldorf Astoria tomorrow night. Exhibitors and representatives of broadcasters have been invited.

Wellman Is Assigned

Hollywood, Sept. 24.—William Wellman will direct "The President Vanishes," a Walter Wanger production for Paramount.

Loew's Off ½ on Big Board

	High	Low	Close	Net Change	Sales
Columbia Pictures, vtc	34	33¾	34	+ ¼	400
Consolidated Film Industries	3	2⅞	2⅞	+ ⅛	200
Consolidated Film Industries, pfd	12¾	12¼	12¾	+ ½	700
Eastman Kodak	98	98	98	.....	100
Fox Film "A"	12¼	11⅝	11¾	— ¼	700
Loew's, Inc.	27¾	27¼	27¼	— ½	1,400
Paramount Publix	4¼	4	4⅛	.....	5,600
Pathe Exchange	1⅜	1¼	1⅜	.....	2,400
Pathe Exchange "A"	14	12⅞	13⅛	— ⅛	2,300
RKO	2¼	2¼	2¼	.....	500
Warner Bros.	4⅞	4⅝	4⅞	+ ¼	9,200

Technicolor Off ⅜ on Curb

	High	Low	Close	Net Change	Sales
Technicolor	13⅛	12¾	12¾	— ⅜	300
Trans Lux	1⅞	1⅞	1⅞	.....	100

Paramount Broadway Bonds Up ¼

	High	Low	Close	Net Change	Sales
General Theatre Equipment 6s '40, ctf	7	5¾	7	+1	5
Loew's 6s '41, ww deb rights	101¾	101¼	101¾	.....	4
Paramount Broadway 5½s '51	38¼	38¼	38¼	+ ¼	5
Paramount F. L. 6s '47	56	55⅛	56	— ½	91
Paramount Publix 5½s '50	56⅛	55½	56	— ½	74
Warner Bros. 6s '39, wd	58	57¼	58	.....	35

Purely Personal

Ben Rosenberg is back from a trip to Dallas, New Orleans and Oklahoma City. He is completely recovered from an illness which kept him in a New Orleans hospital for several weeks.

Eddie Cantor, George Jessel, Harry Hershfield and Milton Berle will headline the special entertainment for the Louis Nizer luncheon at the M. P. Club on Oct. 1.

Jack Hulbert, English comedian; Nova Pilbean, child star, and Michael L. Balcon, production director for Gaumont British, are on the *Aquitania*, due in Friday.

George O'Brien, accompanied by his wife, Marguerite Churchill, and Edward Cline, arrives in town tomorrow from the coast. They are on their way to London.

Robert E. Sherwood, playwright; Evelyn Herbert, stage star, and Emil Coleman, composer, are among the passengers on the *Ile de France,* due in today

Mrs. Sol Gordon and daughter are in from Beaumont, Tex. Mrs. Gordon is the wife of the president of Jefferson Amusement Co. of Texas.

Lou H. Perry of Ogden, Utah, has returned west after a visit here, stopping off at Chicago to see the World's Fair.

Morris Frantz of the M-G-M home office foreign department becomes a benedict in December. Ann Kaufman is the girl.

George Weeks has begun a swing of Fox exchanges to build up his sales staff of Gaumont British. He was in Boston yesterday.

Dick Powell returns to Hollywood the end of this week on the completion of his personal appearance tour.

Rupert Hughes' original, "The Love Song," has been bought by Radio. Irene Dunne may be starred.

Joe Moskowitz is back from Hollywood where he attended the board of directors meeting of United Artists.

John Boles has finished work in "Music in the Air" and leaves Hollywood today for a vacation here.

Will Osborne and his orchestra start work today in a Vitaphone short at the Brooklyn plant.

Edward Klein of the Bay State Exchange in Boston was in town yesterday.

Doris Anderson's "The Joy of Living" has been acquired by Universal.

S. Scott Darling's original, "Wise Guy," has been bought by Columbia.

Jeannette MacDonald reaches town today for a brief vacation.

Walt Coburn has sold his story, "Burnt Ranch," to Columbia.

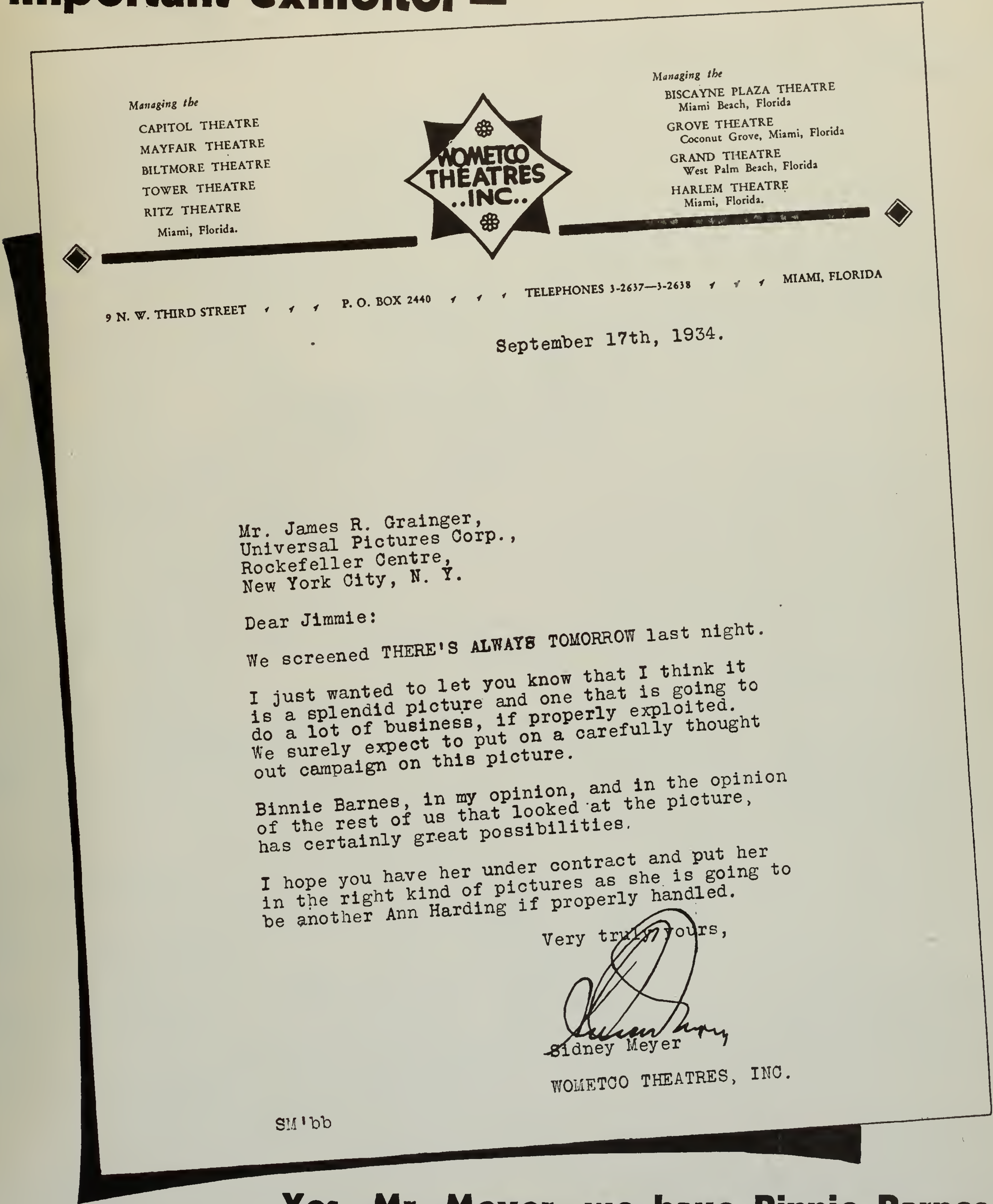
Will Rogers arrives today on the *Ile de France.*

Walter Immerman has gone back to Chicago.

Weeks Sets Skouras Deal

George Weeks has closed a deal with Eddie Alperson, acting for Skouras eastern houses, under the terms of which all the Gaumont British 1934-35 list will be taken by the circuit.

. . . a letter from an important exhibitor—



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September 17th, 1934.

Mr. James R. Grainger,
Universal Pictures Corp.,
Rockefeller Centre,
New York City, N. Y.

Dear Jimmie:

We screened THERE'S ALWAYS TOMORROW last night.

I just wanted to let you know that I think it is a splendid picture and one that is going to do a lot of business, if properly exploited. We surely expect to put on a carefully thought out campaign on this picture.

Binnie Barnes, in my opinion, and in the opinion of the rest of us that looked at the picture, has certainly great possibilities.

I hope you have her under contract and put her in the right kind of pictures as she is going to be another Ann Harding if properly handled.

Very truly yours,

Sidney Meyer

Sidney Meyer
WOMETCO THEATRES, INC.

SM'bb

—Yes, Mr. Meyer, we have Binnie Barnes under contract . . . and she will be properly handled

Expect Early Resignation From Johnson

(Continued from page 1)

from a vacation which he took following his conference with the President at Hyde Park, N. Y.

When Johnson leaves the government service it is expected he will be followed shortly by Division Administrator Sol A. Rosenblatt, who also has been reported to be favorably looked upon by film executives. Rosenblatt, however, has never given any indication that he was seeking a spot in the picture business, although, being a young man, an attractive contract which might lead to big things undoubtedly would receive his careful consideration.

Hearings Start on Cincy Operator Pay

CINCINNATI, Sept. 24.—Deputy Administrator John F. Toedtman of the Ohio Recovery Administration has begun hearings on alleged violations of the code filed against 10 neighborhood and suburban houses by M. P. Operators' Union, Local 327. Assistant Attorney General W. Donald Hall is sitting in on the proceedings.

Complainant charges that in each instance operators employed by the rival union are being paid salaries below the code scale. If violations are found, and compliance with the code cannot be obtained, the cases will go to the attorney general's office for injunction proceedings, it is understood.

Revised list of the houses involved include the Monta Vista, Emery, Pendrola, Avenue, Clifton, Hollywood, Western Plaza, Park, Winton and Broadway.

Hear Three Protests On Albany Schedule

Three individual protests on the Albany clearance and zoning schedule were heard yesterday by a committee comprising A. W. Smith, Jr., chairman; Edward Golden and Henry Sussman.

Attending the hearings were William Smalley, J. Meyer Schine, George Lynch, Willard McKay and Norman Samuelson.

The cases were American, Canton, N. Y., against the Strand. Ogdensburg; Smalley's, Cooperstown, against Schine's Oneonta and Palace, Oneonta; Smalley's, Cooperstown, against Schine's Colonial, Norwich.

In a grievance case the Photoplay, Adams, Mass., complained against the Atlas Amusement Co., same city, for interference with negotiation of a lease.

To Appeal Sandusky Case

CLEVELAND, Sept. 24.—Dismissal of the overbuying complaint brought by Alden Seitz Theatre Co. against Warners' Ohio and Plaza, Sandusky, will be appealed by Lawrence Rich, attorney for Seitz.

McCrea with Dietrich

HOLLYWOOD, Sept. 24.—Joel McCrea has been engaged by Paramount to appear opposite Marlene Dietrich in Paramount's "Caprice Espagnole."

Basic Operators' Scale Nearly Set

(Continued from page 1)

the committee; Charles C. Moskowitz of Loew's, Joseph Blatt of Allied M. P. Operators, Charles O'Reilly and Harry Brandt.

A report on questionnaires sent to all exhibitors in the local area will be completed within the next week or so. About 50 theatres have yet to be heard from. It is stated the scale will be based on a point system, which is secretly guarded by the committee, and will be applicable to major and independent houses.

Exhibitors declare there is no definite wage scale prevailing today, that wages are set according to bargaining. Another meeting of the committee will be held Friday.

K. C. Board Ban Put On Two Bank Nights

KANSAS CITY, Sept. 24.—Complainants have been awarded decisions in two bank night cases decided by the local grievance board. The cases were Fox Midland, Pittsburg, Kan., against J. A. Linski, Cozy, same town, and W. A. Leucht, Olive, St. Joseph, Mo., against Frank Cassil, Rialto, same city. Respondents were ordered to discontinue the plan.

John Graham, Mainstreet, Warrensburg, Mo., has filed a bank night complaint against the Star, Warrensburg.

Other grievance adjudications:

Ed Burgan, Tenth Street, Kansas City, Kan., vs. Midway, same city. Charge, reduced admission. Determination, cease and desist.

Jay Means, Oak Park, Kansas City, vs. C. H. Potter, Baltis, same city. Charge, reduced admission (admitting children for five cents with coupon). Determination, cease and desist.

Row Over Clearance Going Before Campi

(Continued from page 1)

decision on the Forum, Trio-Consolidated house, Code Authority experienced considerable difficulty in settling the clearance on the Fleetwood, also operated by the same independent circuit.

As a result, it was decided to hold a new trial with both theatres taken into consideration at the same time.

Exhibitors hold that if Loew's wins clearance over the Forum, it will have to lose the Fleetwood case. Loew's, however, believes it is entitled to clearance over both houses.

Schlesinger Sails Soon

M. A. Schlesinger will be on the *Ile de France* with Sol Lesser, Eddie Cline, George O'Brien, Lupe Velez and Johnny Weissmuller when it sails for London on Saturday.

Giannini Due Thursday

Dr. A. H. Giannini arrives Thursday from Italy on the *Conte di Savoia*. He may attend the Columbia directors' meeting on Saturday before heading for the coast.

Schwartz Joins M-G-M

HOLLYWOOD, Sept. 24.—Maurice Schwartz, Jewish actor and writer, who recently appeared in "Yoshe Kalb," is now a member of the M-G-M writing staff.

Production Gains By Four Features

(Continued from page 1)

within the fortnight while in the cutting rooms there are 51 features and 23 shorts.

Radio reports seven features working, two preparing and seven editing; Paramount had five, one and four; M-G-M, four, three and nine; Fox, four, three and four; Columbia, three, one and three; Warners, three, two and 12; Universal, three, two and two; Roach, one, zero and zero; Goldwyn, zero, zero and two; Century, one, zero and zero, while the independents have a total of five, six and eight.

In the short subject division Roach reports one working, one preparing and two editing: Warners, one, zero and zero; M-G-M, zero, three and five; Columbia, zero, zero and three; Radio, zero, two and eight, while the independents have four, three and five.

First Division Set to Hold Four-Day Meet

(Continued from page 1)

tral starting Friday. Harry Thomas, president, will outline new plans for the reorganized company.

Thomas was elected president over the week-end, Nicholas S. Ludington and William M. L. Fiske, 3rd, vice-presidents; Julius K. Chapman, secretary, and a treasurer will be named within the next day or so.

BUFFALO, Sept. 24.—Elmer T. Lux, manager of the First Division exchange here, will attend the four-day meeting in New York this week-end. Three new features and several shorts will be screened.

Schwartz Condition Low After Shooting

(Continued from page 1)

a quarrel said to have been over business relations. Benjamin Z. Levine, his partner, also prominent in local theatrical circles, was fatally wounded in the dispute.

The body of Abraham Knopp, of Waterbury, Conn., was found today in Lake Erie. The coroner's office returned a verdict of suicide. Knopp, police say, fired the shots during an argument, and was being hunted as the alleged slayer of Levine, who was his brother-in-law, and for the shooting of Schwartz.

Hill Will Be Only Hearst Reel Talker

(Continued from page 1)

news events, the newsreel will also have special feature clips which the Hearst commentator will discuss. Natural sound effects will be used in addition to Hill's interpretations.

The new Hearst Metrotone reel will run about 1,000 feet and De Luxe Laboratories will continue to develop it twice a week. A press party will be held at the DeLuxe lab when the first issue makes its debut.

See $42,000 on "Agent"

Warners are predicting a $42,000 week for "British Agent" at the Strand. In its first five days it topped "Gold Diggers of 1933," which took $42,200 in its first week.

Detroit Sees Outlook Good For the Fall

(Continued from page 1)

Tower, is being erected in the northwestern section of the city and there are reports more houses are planned.

CLEVELAND, Sept. 24.—W. N. Skirboll, L. P. Miller and Samuel Herwitz have taken an option on the Shaker Square. If they take up the option, they will equip the theatre and operate it themselves.

DOVER, Sept. 24.—The Ohio, closed a long time, has reopened. It is operated by R. C. Spidell, who also has the State.

GRAFTON, Sept. 24.—The Grafton, closed all summer, has reopened. J. O. Guthrie of Cleveland and the owners of the building are operating the house. New sound equipment has been installed.

Effects Are Vital, Pete Smith States

(Continued from page 1)

effects in their proper place, he says. Music also plays an important part, Smith holds.

"I'm a nut on effects," he confessed. "I used to be a trap drummer in my earlier days and bits of it are coming out of my system.

"I don't try to make the audience laugh at its own expense. I try to make myself a part of the audience and use language that would be used by it and do the same things it would do. I avoid puns, most of the time.

"I don't try to be clever or smart. I just try to be human. So far it has worked out."

Smith believes there is a big field of material for the short subject producer and states he has no difficulty getting ideas. He tries to get as many exploitation ideas into his pictures as he possibly can, being a press agent at heart.

He adds shorts should not be taken as fillers. Anything that is put on the screen should be worth while showing or not at all.

Smith says he has to be careful with the selection of his language. In some countries our meanings have other interpretations and this he tries to avoid as much as possible.

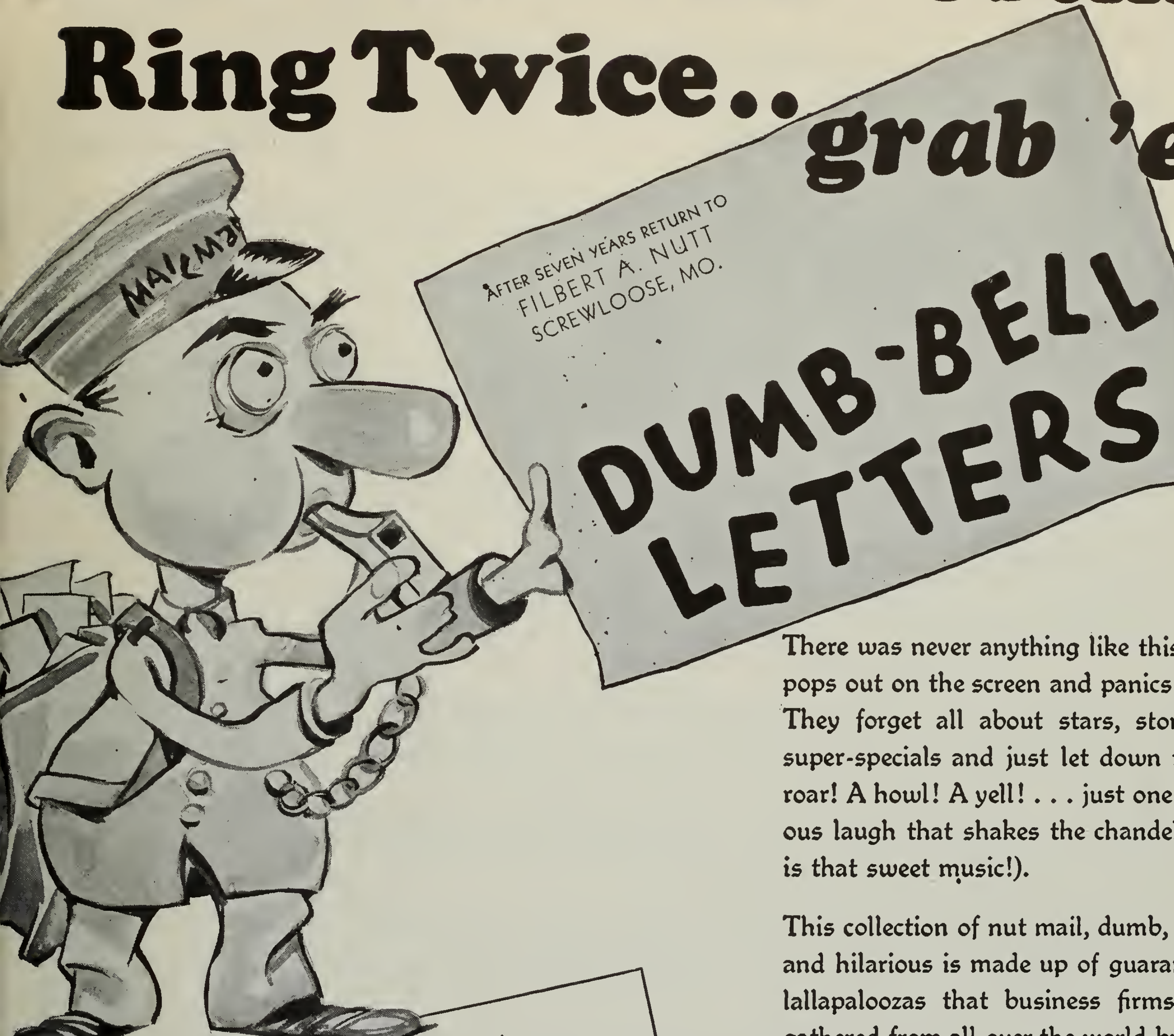
Brandt Says He's Owner

Harry Brandt states that he owns an interest in all of the 26 houses comprising the Brandt circuit. The general impression prevailed he had booking deals with some of the units. The latest acquisition is the Arcadia, Bronx, formerly operated by Sydney Cohen.

Roach Signs Sam Taylor

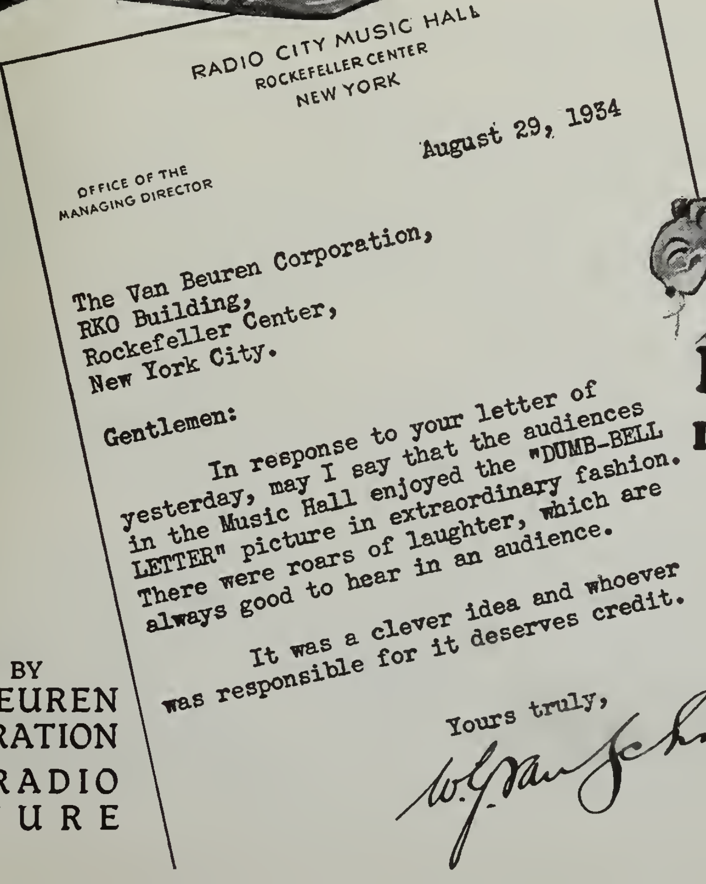
HOLLYWOOD, Sept. 24.—Hal Roach has signed Sam Taylor, former director for Mary Pickford and Harold Lloyd, to a long-term contract as a supervising director. Taylor has no assignment as yet. Years ago Taylor began his career as a writer on the Roach lot.

Don't Let The Postman Ring Twice.. *grab 'em!*



There was never anything like this! A little film pops out on the screen and panics the populace! They forget all about stars, stories, sex, and super-specials and just let down their hair and roar! A howl! A yell! . . . just one long continuous laugh that shakes the chandelier (and, boy, is that sweet music!).

This collection of nut mail, dumb, funny, screwy and hilarious is made up of guaranteed genuine lallapaloozas that business firms receive . . . gathered from all over the world by Juliet Lowell and made into a reel with so many belly-laughs that you'll display it in lights and bank on it for months to come!



RADIO CITY MUSIC HALL
ROCKEFELLER CENTER
NEW YORK

August 29, 1934

OFFICE OF THE
MANAGING DIRECTOR

The Van Beuren Corporation,
RKO Building,
Rockefeller Center,
New York City.

Gentlemen:

In response to your letter of yesterday, may I say that the audiences in the Music Hall enjoyed the "DUMB-BELL LETTER" picture in extraordinary fashion. There were roars of laughter, which are always good to hear in an audience.

It was a clever idea and whoever was responsible for it deserves credit.

Yours truly,
W. G. Van Schmus

ROARS OF LAUGHTER IN THE WORLD'S LARGEST THEATRE

Just one of the many SMART letters about DUMB-BELL LETTERS that we're receiving..!

PRODUCED BY
VAN BEUREN
CORPORATION
RKO-RADIO
PICTURE

Miami Places Heavy Tax on Music Agents

(Continued from page 1)

agent for another, or as the representative of another in any capacity, collecting, or attempting to collect, or receiving money, or other valuable consideration for rights, royalty, rents of fees on copyrighted music, books, recorded music for mechanical reproduction, radio programs and/or patents."

E. C. Mills, general manager of A.S.C.A.P., said yesterday that the society does not have a representative in Miami and therefore there is no one to tax. Miami exhibitors pay their fees by mail.

"However," he added, "we reserve the right to assign a representative to that city, and if and when we do we will be compelled to pass the extra $2,500 cost on to exhibitors. Perhaps exhibitors want to help out the city government and are too modest to do it directly."

WASHINGTON, Sept. 24.—In explaining why he has advised Allied not to contribute to a war chest to fight the A.S.C.A.P. music tax increases Abram F. Mvers, general counsel, says it would be difficult for an individual theatre to establish that it was engaged in interstate business.

His advice to Allied members is to pay the first installment of the increased tax and rely upon a campaign in Congress to secure a modification of the copyright law.

"It is difficult to see how enduring relief can be obtained by litigation so long as the law permits the copyright owner to split his monopoly three ways—publishing, recording and performing—and to collect a royalty on each," he says.

Denver Party Draws Crowd of About 350

DENVER, Sept. 24.—More than 350 attended the banquet at the first annual outing and get-together of exhibitors and distributors of this territory, held at the Lakewood Country Club. The outing is the first of two or three, by the end of which it is hoped to organize a Variety Club here.

Walter Ibold, manager of the Comet, and Jack Langan, Universal exchange manager, tied with 79 for the golf cup, with Ibold winning on the extra hole. Rick Ricketson, F.W.C., division manager, and William Agren, his booker, tied with Ricketson winning the playoff. Al Hoffman, U. A. manager, labored through 170 strokes to win the booby prize.

Exhibitors beat the distributors in the ball game, 2-1.

Mrs. Henry Freidel won the bridge prize, an electric coffee urn set, and E. F. Roberts won the horseshoe pitching contest.

Jack Langan arranged the affair, and on the general committee were J. L. Morrison, Fox manager; Al Hoffman; Ibold; Earl Bell, Warner exchange manager, and Ricketson.

Looking 'Em Over

"Among the Missing"

(Columbia)

This pleasant little dramatic effort ought to fill the bill at neighborhood houses. Its story is engrossing if a bit shopworn, its acting up to snuff and its settings and photography good. There is a particularly fine performance by Henrietta Crosman.

Miss Crosman runs away from her nephew's home when she finds life there unbearable. She becomes housekeeper for the operators of an antique shop, which is used as a front to hide their activities as jewel thieves. It is not until toward the end that Miss Crosman discovers the truth. Richard Cromwell is one of the thieves. When she learns the state of affairs, she bends every effort to win the youth away from a life of crime. To save him she goes to the extent of assuming the blame for a robbery in which the boy has taken part after making it possible for him to escape from the police.

Seeing the error of his ways, Cromwell defies Arthur Hohl and Ivan Simpson, his fellow thieves, and reveals the truth to the police to save Miss Crosman. He is placed on probation in her care and everything ends happily. To give the film a romantic note there is a romance between Cromwell and Billie Seward.

Also in the cast are Wade Boteler, Ben Taggart, Harry C. Bradley and Paul Hurst. Joseph August handled the camera and Albert Rogell directed. Code seal No. 124. Running time, 65 minutes.

"My Old Dutch"

(Gaumont-British)

LONDON, Sept. 24.—This will be a box-office natural in England. It is admirably sincere and will bring laughter and tears by a happy blending of good story values and excellent acting. Rarely sensitive direction by Sinclair Hill has welded out of real life material a real appeal to the heart as far removed as possible from synthetic "sob appeal."

Whether it will get over in America depends entirely on the extent to which low class London dialect can be understood. It will be a thousand pities if this difficulty of speech proves fatal, but the fact has to be faced that it is essentially a "Cockney" story.

It is just the life story of humble London working class couple, from the days when they go courting at Hampstead Heath on Bank Holiday, through the war years, which deprive them of their only son, to an old age rendered happy by their deep mutual affection, which has suffered the last sorrow of the sacrifice of their grandchild to a wealthy relative who can give him a career.

The intensely sincere acting of Betty Balfour and Michael Hogan, with Gordon Harker providing the main comedy relief, are the big factors, but the film also provides a vivid panorama of English life from pre-war time until today. Running time, 90 minutes.

BRUCE ALLAN

"DuBarry" Opening Set

MEMPHIS, Sept. 24. — Warners' "Madame DuBarry" will have its first showing, according to company officials, here at the Warner theatre Saturday, Oct. 6. National release is set for a week later.

Warners Re-sign Gargan

HOLLYWOOD, Sept. 24.—Warners have re-signed William Gargan to a long term contract. Gargan is in London vacationing with Leslie Howard at present, but will return here shortly.

Hollywood Personals

Hollywood, Sept. 24.—Jack Cox, recently signed by Paramount, has arrived from Cleveland where he was "discovered" by a talent scout . . . Jackie Coogan has enrolled at the University of Southern California . . . Elissa Landi vacationing at Lake Tahoe . . . Claudette Colbert has a new lot in Holmby Hills . . . Robert Florey appeared in a wool plaid scarf at a temperature of 98 . . . Virginia Pine's split back evening gown is the talk of the town. . . Evalyn Knapp signed for "In Old Sante Fe" at Mascot . . . Miriam Hopkins will do "Becky Sharp" for Radio before going to Goldwyn for two pictures . . . Sylvia Sidney has closed her beach home and moved back to Benedict Canyon . . . Lyda Roberti up again after a severe cold . . . Jackie Cooper received a set of trap drums as a natal day gift from his mother . . . Harry Rapf escorted a fishing party off the San Diego coast . . . Douglass Montgomery making a date with a girl for Sardi's and absent mindedly waiting at the Vendome . . . Neil Hamilton spending his birthday on the crest of Mount Whitney . . .

Para.'s New Plan Delayed By Subsidiary

(Continued from page 1)

which is guarantor of its bonds. The reorganization plan of Paramount Broadway is considered one of the few remaining obstacles in the revamping of Paramount Publix.

Action to postpone the Paramount Broadway hearing was taken upon the request of counsel for Paramount Publix trustees, who told Referee Joyce that objections to the subsidiary's plan of reorganization could be ironed out if more time were granted.

The Paramount Publix trustees' attorneys indicated that in the meanwhile they would meet with the legal representatives of the realty corporation in an attempt to remove objections to the latter's plan of reorganization.

Paramount Broadway bondholders made a demand before Referee Joyce yesterday for detailed operating statistics of all foreign subsidiaries of Paramount. The charge was made that accountants representing three bondholders had been denied permission to look at the corporation's books.

The trustees asserted in addition to being against good business practice, the revelation of the information desired would give away to competitors many of Paramount's trade secrets. They further declared that the objecting bondholders failed to represent 25 per cent of the total bondholders or 10 per cent of creditors as required under the new bankruptcy laws.

Leontine Sagan Coming

HOLLYWOOD, Sept. 24.—Leontine Sagan, Europe's outstanding woman director who was signed by David Selznick during his recent trip abroad, will arrive in New York this week en route to Hollywood to begin her contract with M-G-M. Miss Sagan is best known for her direction of "Maedchen in Uniform."

"U" Signs Joan Bennett

HOLLYWOOD, Sept. 24.—Joan Bennett has been signed for the chief feminine role in Universal's "Man Who Reclaimed His Head," playing opposite Claude Rains. Lloyd Hughes and Carol Coombe have also been assigned featured Roles. Edward Ludwig is the director.

To Hear Health Suit

A motion will be argued in Supreme Court today that certain evidence in the $1,000,000 suit brought against M-G-M by Edwina Booth be ruled out. The actress charges she ruined her health during the filming of "Trader Horn."

Gaumont Holds Fischer

CHICAGO, Sept. 24.—Abe Fischer will continue as Gaumont British sales head in this territory under a realignment of the selling organization.

"Widow" to Open Oct. 6

Oct. 6 is the date set for opening of "The Merry Widow" at the Astor at $2 top.

Discharging an
OBLIGATION

ANY manufacturer who has won his way into the confidence of a great industry is under obligation to maintain the standards that have given his product preference. Eastman Super-Sensitive "Pan" is continually discharging such an obligation. On the lot . . . in the laboratory . . . on the screen ... it is unfailingly delivering the same qualities that first made it a sensation in the motion-picture world. Eastman Kodak Co. (J. E. Brulatour, Inc., Distributors, New York, Chicago, Hollywood.)

EASTMAN *Super-Sensitive*
Panchromatic Negative

"Desirable," Lyman $6,500, Minneapolis

MINNEAPOLIS, Sept. 24.—"Desirable" ran away with the big money here last week, helped by Abe Lyman and his band. The take at the State was $6,500, up by $1,000.

In St. Paul Mae West in "Belle of the Nineties" also ran up to $6,500, over the mark by the same amount.

"One More River" grossed a strong $3,000 at the World here. "Crime Without Passion" and "The Human Side" were strong St. Paul attractions.

Total first run business in Minneapolis was $23,500. Average is $21,000. Total St. Paul business was $19,000. Average is $16,000.

Estimated takings:

Minneapolis:

Week Ending Sept. 20:

"CRIME WITHOUT PASSION" (Para.)
CENTURY—(1,000), 25c-40c, 7 days. **Gross:** $4,000. (Average, $4,000)

"YOU BELONG TO ME" (Para.)
LYRIC—(1,000), 20c-25c, 7 days. **Gross:** 1,500. (Average, $1,500)

Week Ending Sept. 21:

"BRITISH AGENT" (F. N.)
RKO ORPHEUM—(2,900), 25c-50c, 7 days. **Gross:** $6,000. (Average, $5,500)

"DESIRABLE" (Warners)
STATE—(2,300), 25c-40c, 7 days. Abe Lyman in person. **Gross:** $6,500. (Average, $5,500)

"THE LOST PATROL" (Radio)
TIME—(300), 25c-35c, 7 days, 3rd week. **Gross:** $2,500. (Average, $2,500)

"ONE MORE RIVER" (Univ.)
WORLD—(400), 25c-75c, 7 days. **Gross:** $3,000. (Average, $2,500)

St. Paul:

Week Ending Sept. 20:

"BELLE OF THE NINETIES" (Para.)
PARAMOUNT—(2,300), 25c-40c, 7 days. **Gross:** $6,500. (Average, $5,500)

"CRIME WITHOUT PASSION" (Para.)
RIVIERA—(1,200), 25c-40c, 7 days. **Gross:** $4,000. (Average, $3,500)

"THE HUMAN SIDE" (Univ.)
RKO ORPHEUM—(2,000), 20c-40c, 7 days Madame Voegli-Starr. **Gross:** $4,500. (Average, $4,000)

"YOU BELONG TO ME" (Para.)
TOWER—(1,000), 15c-25c, 7 days. **Gross:** $1,500. (Average, $1,500)

"JANE EYRE" (Monogram)
WORLD—(300), 25c-75c, 7 days. **Gross:** $2,500. (Average, $2,000)

Cal. I.T.O. Holds Benefit

LOS ANGELES, Sept. 24.—The I. T. O. of Southern California's benefit show to raise funds to combat adverse legislation brought a capacity crowd to the Pantages. Starting at midnight, it ran until five o'clock this morning. On the program were 20 acts of vaudeville and a preview of the Samuel Goldwyn film, "We Live Again."

Pettijohn, Herron in L.A.

LOS ANGELES, Sept. 24.—C. C. Pettijohn of the Hays organization arrived here today. Friday he will address the League of California Municipalities on taxation. Another M.P.P.D.A. man to arrive on the coast today was Major Fred L. Herron, who is on a 10-day vacation.

Harold Lloyd Off Today

Harold Lloyd and his wife return to the coast today after several weeks in town. Yesterday they attended the evening performance of "The Red Cat" at the Broadhurst.

"Belle" Loop Smash; Pulls $60,000 Take

CHICAGO, Sept. 24.—Loop business continues heavy. "Belle of the Nineties" was a sensation at $60,000 in the Chicago. This tops normal by $23,400.

"The Dragon Murder Case" hit $22,000, over the mark by $7,000, at the Oriental. "Dames" piled up $14,000 in its second week at the Roosevelt, and "Charlie Chan's Courage" was good for $17,000 at the State-Lake.

Total first run business was $165,000. Average is $131,600.

Estimated takings:

Week Ending Sept. 18:

"COUNT OF MONTE CRISTO" (U. A.)
UNITED ARTISTS—(1,700), 30c-40c-60c, 2nd week, 7 days. **Gross:** $15,000. (Average, $17,000)

Week Ending Sept. 20:

"BELLE OF THE NINETIES" (Para.)
CHICAGO—(4,000), 35c-50c-68c, 7 days. B. & K. stage production. **Gross:** $60,000. (Average, $34,600)

"DRAGON MURDER CASE" (F. N.)
ORIENTAL—(3,940), 25c-40c, 7 days. Stage: "The Drunkard." **Gross:** $22,000. (Average, $15,000)

"THERE'S ALWAYS TOMORROW" (Univ.)
PALACE (2,509), 25c-35c-50c, 7 days. Stage: Harry Sisnik and orchestra, Stone & Vernon, George Beatty and others. **Gross:** $22,000. (Average, $22,000)

Week Ending Sept. 21:

"DAMES" (Warners)
ROOSEVELT—(1,591), 25c-35c-50c, 2nd week, 7 days. **Gross:** $14,000. (Average, $11,000)

"JUDGE PRIEST" (Fox)
APOLLO—(1,400), 25c-35c-50c, 7 days. **Gross:** $12,000. (Average, $12,000)

"BRITISH AGENT" (F. N.)
(Second Loop Week)
GARRICK—(900), 25c-35c-40c, 7 days. **Gross:** $5,000. (Average, $5,000)

Week Ending Sept. 22:

"CHARLIE CHAN'S COURAGE" (Fox)
STATE-LAKE—(2,776), 20c-25c-35c, 7 days. Stage: Kenneth Harlan, Al St. John, Jack Pepper and others. **Gross:** $17,000. (Average, $15,000)

Ted Morrison to Omaha

OMAHA, Sept. 24.—E. R. Cummings, district manager for A. H. Blank's Tri-State Theatres, disclosed tonight that Ted Morrison will be brought from Rock Island, Ill., where he has been managing the Fort Theatre, to manage the Paramount here, set to open Thursday.

"Kid Millions" Previewed

SAN DIEGO, Cal., Sept. 24.—"Kid Millions" was previewed at the Fox here last night before an audience that included Eddie Cantor, who is the star of the film, Al Jolson, Ruby Keeler and Gloria Stuart.

20th to Film "Red Cat"

"The Red Cat" will be filmed by 20th Century, Joe Moskowitz, vice-president of the company, asserted when questioned during intermission at last night's performance of the play at the Broadhurst.

Quits Central Casting

HOLLYWOOD, Sept. 24.—Marian Mell, director of the women's division of the Central Casting Agency since 1926, resigned today. No successor has been named.

Montreal in Boom; "You Belong" High

MONTREAL, Sept. 24.—Stirring times were experienced by Montreal's main-stem theatres last week. With a return of vaudeville, Loew's was out in front with $11,500, the screen attraction being "You Belong to Me."

The Capitol went over the top on a take of $10,500 for "The Girl from Missouri." Another house above par was the Princess with $6,500 on two British pictures, "Evergreen" and "A Cup of Kindness." The weather was cool, two days; warm, three days; wet, two days.

Total first run business was $43,000. Average is $43,000.

Estimated takings for the week ending Sept. 22:

"THE GIRL FROM MISSOURI" (M-G-M)
"MIDNIGHT ALIBI" (F. N.)
CAPITOL (2,547), 25c-35c-40c-50c-60c, 7 days. **Gross:** $10,500. (Average, $9,000)

"SHOCK" (Monogram)
"MONEY MEANS NOTHING" (Mono.)
IMPERIAL—(1,914), 25c-40c-50c, 7 days. Stage: Carmen, Bell Bros. & Grace; Rasso; Lightning Dud; Francis & Wally; Will Maslin's Gang; Lee Shelley. **Gross:** $4,500. (Average, $6,500)

"YOU BELONG TO ME" (Para.)
LOEW'S—(3,115), 29c-34c-45c-57c-75c, 7 days. Stage: The Bowery Music Hall Follies. **Gross:** $11,500. (Average, $10,500)

"HIDEOUT" (M-G-M)
PALACE—(2,600), 25c-35c-50c-60c-75c, 7 days. Added "La Cucaracha." **Gross:** $10,000. (Average, $11,000)

"EVERGREEN" (British)
"A CUP OF KINDNESS" (British)
PRINCESS—(2,272), 25c-35c-50c-65c, 7 days. **Gross:** $6,500. (Average, $6,000)

Seven Fox Extras Hurt

HOLLYWOOD, Sept. 24.—Seven extras were injured today when they fell 30 feet during the filming of a scene for Fox's "East River."

"Dames" Gets $13,000, But Frisco Slumps

SAN FRANCISCO, Sept. 24.—This town went for "Dames" in a big way, the Paramount gross knocking over par by $2,000 for a total of $13,000.

For some unknown reason business was dull elsewhere, the only other par draw being "Affairs of Cellini" at the United Artists with $8,000. "One Night of Love" fell off to $8,000 in its third week at the Orpheum.

Total first run business was $80,000. Average is $84,000.

Estimated takings:

Weed Ending Sept. 18:

"YOUNG AND BEAUTIFUL" (Mascot)
GOLDEN GATE—(2,800), 25c-35c-40c, 7 days. Stage, band. **Gross:** $12,000. (Average, $13,000.)

Week Ending Sept. 19:

"DRAGON MURDER CASE" (Warners)
"UNKNOWN BLONDE" (Fox)
FOX—(4,600), 15c-30c-40c, 7 days. **Gross:** $11,000. (Average, $12,000.)

"DAMES" (Warners)
PARAMOUNT—(2,670), 15c-25c-55c-65c, 7 days. **Gross:** $13,000. (Average, $11,000)

"CHAINED" (M-G-M)
WARFIELD—(2,700), 25c-35c-55c-65c, 7 days, 2nd week. Stage, vaudeville, band. **Gross:** $21,000. (Average, $23,000.)

Week Ending Sept. 20:

"ONE NIGHT OF LOVE" (Col.)
ORPHEUM—(3,000), 15c-30c-35c-40c, 7 days, 3rd week. **Gross:** $8,000. (Average, $9,000.)

"TREASURE ISLAND" (M-G-M)
ST. FRANCIS—(1,400), 15c-35c-55c-65c, 7 days, 3rd week. **Gross:** $7,000. (Average, $8,000.)

"THE AFFAIRS OF CELLINI" (U. A.)
UNITED ARTISTS—(1,200), 15c-35c-55c, 7 days. **Gross:** $8,000. (Average, $8,000.)

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The Leading Daily Newspaper of the Motion Picture Industry

MOTION PICTURE DAILY

Alert, Intelligent and Faithful Service to the Industry in All Branches

VOL. 36. NO. 73 NEW YORK, WEDNESDAY, SEPTEMBER 26, 1934 TEN CENTS

New Fox Met Plan Aims to Avoid a Sale

Palmer Lines Up Details For Court's Study

A sale of Fox Metropolitan Playhouses is averted and Skouras and Randforce are retained as operators of the circuit in a plan of reorganization developed by Archibald Palmer, counsel for a Fox Met bondholders' group, which is expected to be ready for presentation to Federal Judge Julian W. Mack early next week, it was learned yesterday.

Palmer's plan provides for making available to bondholders a $700,000 unmortgaged cash fund held by the trustees for Fox Met, which would

(*Continued on page* 10)

F. W. C. Expanding In So. California

Los Angeles, Sept. 25.—Fox West Coast is expanding by acquiring additional theatres, some of which have been dark. The new acquisitions will bring the number of houses operated by the circuit in southern California to 180 active theatres.

To facilitate the operation of such a large group, F. W. C. has set up

(*Continued on page* 10)

Denies Allied Union Talking Basic Scale

Allied M. P. Operators' Union is taking no part in negotiations for a basic wage scale for operators, declares Murray Harston, attorney for Allied. Reports that Joseph Blatt is acting as a representative of Allied in the conferences are incorrect, he says, as Blatt is business agent for the Empire State Union.

Harston says Allied has refused to participate in the conferences because there is no power under the code to enforce any agreement that may be reached.

Utah Grosses Touch $1,126,000 for 1933

Washington, Sept. 25.—Seventy-four film and vaudefilm houses in Utah last year had gross receipts of $1,126,000 and payrolls of $270,000, the U. S. Census Bureau reports.

Eleven of the theatres were located in Salt Lake City, reporting receipts of $641,000 and payrolls of $163,000.

Para. in 7 Spots

Seven theatres along the main stem will show Paramount pictures this season. The houses are: Music Hall, Paramount, Rialto, Mayfair, Capitol, State and Palace.

There's a possibility of the Roxy playing at least one by virtue of its joint booking deal with the Rialto.

Para.'s Bank Action Faces Delay Again

A further adjournment of preliminary steps in the suit brought by the Paramount Publix trustees to set aside an alleged $13,200,000 claim preference of the company's creditor bank group in order to permit further consultations on a settlement of the suit was granted yesterday by Federal Judge Alfred C. Coxe.

The adjournment was granted to Oct. 23 on the application of Morton G. Bogue, counsel for the bank group,

(*Continued on page* 10)

Congressmen Study Para. B'way Plan

The plan of reorganization for the Paramount Broadway Corp., subsidiary owning title to the Paramount Bldg. and Theatre in Times Square, came under the scrutiny of the Congressional Real Estate Bondholders'

(*Continued on page* 10)

Fitzgibbon Here on Para. Joinville Plan

Stephen E. Fitzgibbon, manager of Paramount's Joinville studio in Paris, arrived yesterday aboard the *Ile de France.* His primary mission is to

(*Continued on page* 10)

REPORT DEAL BY GAUMONT AND BIP

G-B May Buy Maxwell Stock, or Companies May Amalgamate

London, Sept. 25.—Reports current here have it that Isadore Ostrer, president of Gaumont British, is conferring with John Maxwell, president of British International Pictures, with a view to purchasing Maxwell's interest in B.I.P. or amalgamating both companies.

Executives of Gaumont British in New York would neither confirm nor deny the London reports yesterday. However, one official stated that either of the reports could be true but he has not been notified of any deal. Mark Ostrer, chairman of the board

(*Continued on page* 5)

Schlaifer Picked To Head G-B Sales

L. J. Schlaifer has been named sales manager of Gaumont British by George W. Weeks, general manager. One of his first moves will be to develop the Greater New York sales force. He may then make a tour of key cities.

Schlaifer has been in the industry

(*Continued on page* 5)

Comerford After 2 More in Rochester

Rochester, Sept. 25.—With all but one big downtown theatre under control, Comerford interests are bidding against Schine for the Madison and Monroe, first and second biggest neighborhood houses of the city, with the Fennyvessy Brothers, owners, still holding out for a bigger price.

When Comerford came into control of the RKO Palace and RKO Temple, adding them to its Century, Regent and Capitol chain in Rochester, Loew's was left the Rochester, 4,000-seat house and biggest in the city, as the only big house outside of Comerford's management.

Code Amendments Up to Campi Body

The legal committee of Campi yesterday discussed two new amendments to the code and also reviewed contracts of all companies for possible

(*Continued on page* 10)

Jersey Dual Ban Believed To Be Doomed

Refusal by Springer & Cocalis to sign for the plan to eliminate duals indicates defeat of the move by Allied of New Jersey for adoption of a single feature policy in northern New Jersey.

S. & C. operate six houses across the Hudson and hold the key to the situation. About nine other independent houses have not agreed to the plan. Unless the entire territory signs 100 per cent before Oct. 3, the plan will fall through.

Some of the independents who have refused to sign contend that

(*Continued on page* 5)

Frisco Asks ASCAP Probe by Congress

San Francisco, Sept. 25.—Theatres here are going to battle all the way in an effort to restrain A. S. C. A. P. from putting into effect the 10 per cent increase set for Oct. 1.

The Theatre Owners' Chamber of Commerce will ask Congress to investigate the society.

The chamber charges "the increased fee is not based upon any increased

(*Continued on page* 5)

Exhibitors Will Take Stand on ASCAP Row

The exhibitors' national emergency committee will meet with the legal committee in the Paramount Building

(*Continued on page* 5)

Johnson Quits NRA Job; Resignation Is Accepted

Hyde Park, N. Y., Sept. 25.—President Roosevelt made known today that Gen. Hugh S. Johnson had resigned as NRA administrator and that the resignation had been accepted. The action was no surprise. It will be effective Oct. 15.

Division Administrator Sol A. Rosenblatt, one of Johnson's appointees, is expected to remain in office for some time to complete work on which he is engaged.

Johnson was in charge of the NRA

(*Continued on page* 10)

MOTION PICTURE
DAILY
(Registered U. S. Patent Office)

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Obtains Test Rights

Universal yesterday acquired the exclusive rights from the National American Beauty Pageant to make screen tests of the winner and such other entrants as seem to the officials of the company to have picture possibilities. The contest will be held in Madison Square Garden, with approximately 3,200 entrants.

"U" Has Six in Work

HOLLYWOOD, Sept. 25.—With active production started today on "When a Man Sees Red," six films are now in active work at Universal City. The others are "The Good Fairy," starring Margaret Sullavan; "Night Life of the Gods," "Cheating Cheaters," "The Man Who Reclaimed His Head" and "Life Returns."

Declare Loew Dividend

Marcus Loew Theatres, Ltd., of Canada, declared a dividend of $1.75 a share yesterday on the 7 per cent preferred stock, payable Oct. 1, on account of accumulations, which will amount to $43.75 a share after this payment.

Cantor Eastward Today

HOLLYWOOD, Sept. 25.—Eddie Cantor, accompanied by his family, and Bennie Holzman, leaves Wednesday for New York. The party will stop over in Chicago for a day to see the World's Fair.

Majestic Will Raise Film Budget by 25%

Majestic will increase production costs on its remaining nine pictures this season approximately 25 per cent, E. H. Goldstein, vice-president, stated yesterday following conferences between Herman Gluckman, president; Larry Darmour, executive producer, and Harold Hopper, assistant to Darmour.

Three pictures have been completed and "The Perfect Clew" will go into production as soon as Darmour returns to the coast. Darmour, Hopper and their wives will fly back to Hollywood Friday.

Myers in from England

John B. Myers, publicity and advertising manager of London Films, is in New York studying American exploitation methods. He will be here for about 10 days more.

London Films is building a huge new studio, he says, which will be ready next summer. During the fall, he says, Alexander Korda will send over George Perinal, his ace cameraman, and other technicians to study Hollywood methods.

Jay Paley on Coast

HOLLYWOOD, Sept. 25.—Jay Paley, a member of the board of CBS, reached the coast yesterday to assume the presidency of Walter Wanger Prod., which is making six features for Paramount release, the first of which, "The President Vanishes," is now in work. Paley, an uncle of William S. Paley, head of CBS, will not sever his association with the broadcasting company.

M-G-M Suit Postponed

The hearing scheduled for yesterday on a motion by M-G-M to prevent Edwina Booth from introducing certain evidence in her suit against the company for injuries allegedly suffered while she was making "Trader Horn" was postponed until next Tuesday by Supreme Court Justice Philip J. McCook.

Book Waxman's Idea

A. P. Waxman is designer of a trick booklet issued by Frankwyn Prod. on "Gambling." He is handling exploitation for the company. The art work was done by Lane, Friedlander.

Phillipson to Sail For England Today

Percy Phillipson, president of the General Register Corp., who has been in this country for the past nine months in connection with the reorganization of the company, is sailing for home this morning aboard the *Washington,* to resume his duties as an executive of the parent company, Bell Punch, Ltd., and Automaticket, a British subsidiary. Phillipson is also managing director of Automaticket. He will remain in London indefinitely and will make periodic visits to America.

With Phillipson's departure, the General Register office here will be in charge of T. P. Drew, vice-president and general manager of the company.

M. P. Club Is Crowded

Tables were at a premium at the M. P. Club yesterday during lunch hour. Both meeting rooms were occupied and about 100 diners had tables in the dining room.

Among those present were Nicholas S. Ludington, William M. L. Fiske, 3rd., and Harry Thomas of First Division, Herman Gluckman and E. H. Goldstein of Majestic, Felix Feist, Fred Quimby, Tom Conners, J. S. MacLeod, Charles Sonin, Tom Gerety, Mort Spring and Dave Blum of M-G-M, Harold S. Bareford, William Jenkins, Louis Phillips, Dave Palfreyman, I. Levinson, John C. Flinn, Al Schwalberg, Clint Weyer, James Clarke, Jack D. Trop, Harry Brandt, Louis Blumenthal, Jack Shapiro, Jack Barstyn, Robert Wolff, Harry Shiffman, Louis Geller, Joe Hornstein, Edward Schnitzer, Nat Cohn, Arthur Hirsch and others.

M. P. Club Talent Picked

Guest speakers at the Louis Nizer lunch at the M. P. Club Oct. 1 will be Eddie Cantor, George Jessel, Harry Hershfield and Milton Berle. Also on the list are Felix Feist, Will H. Hays, Louis Nizer, Al Lichtman, Jack Alicoate and Howard Dietz.

Helprin-Locke Nuptials

Morris Helprin, head of the United Artists publicity department, and Miss Katherine Locke, stage actress, were married last Saturday.

Big Board Trading Shows Better Tone

	High	Low	Close	Net Change	Sales
Columbia Pictures, vtc	37⅜	34¼	37⅜	+3⅝	3,400
Consolidated Film Industries	3⅜	3	3⅜	+ ½	500
Consolidated Film Industries, pfd	14¼	13	14¼	+1½	2,200
Eastman Kodak	98½	98	98½	+ ½	200
Fox Film "A"	12¾	11½	12¾	+1	1,300
Loew's. Inc.	28⅝	27	28½	+1¼	8,000
Paramount Publix, cts	4¼	4	4¼	+ ⅛	5,500
Pathe Exchange	1⅜	1¼	1⅜	.....	1,800
Pathe Exchange "A"	13¾	12⅝	13½	+ ⅜	1,900
RKO	2¼	2¼	2¼	.....	700
Warner Bros.	5¼	4⅝	5¼	+ ⅜	15,700

Technicolor Only Stock on Curb

	High	Low	Close	Net Change	Sales
Technicolor	12⅞	12¾	12¾	.....	800

Warner Bonds Advance Point

	High	Low	Close	Net Change	Sales
General Theatre Equipment 6s '40	6⅜	6⅜	6⅜	— ⅛	2
General Theatre Equipment 6s '40, ctf	6½	6⅜	6½	— ½	6
Loew's 6s '41, ww deb rights	101¾	101¾	101¾	.....	1
Paramount Broadway 5½s '51	38¾	37⅞	38¾	+ ½	8
Paramount F. L. 6s '47	55¾	54⅝	55¾	— ¼	13
Paramount Publix 5½s '50	55¾	55¼	55½	— ½	10
Pathe 7s '37, ww	97	97	97	+1	12
Warner Bros. 6s '39, wd	59	57½	59	+1	99

◂ Purely Personal ▸

JACKIE COOPER will meet NOVA PILBEAM upon her arrival from London Friday. It will be the first time the juvenile stars of America and London will meet.

E. BORETH of Masterpiece Attractions, Philadelphia, was in town yesterday. He is the new Majestic franchise holder in the Quaker City.

GUY KILPATRICK'S stories centered around Glencannon have been purchased by M-G-M. Two or more features will be made from them.

CLARENCE ASHCRAFT of Sterling Lamp Co., Los Angeles, is in New York at the Edison and plans to return today or tomorrow.

THE EASY ACES, radio personalities, start work tomorrow at the Vitaphone studio in Brooklyn on their third short.

PHIL BAKER and GIOVANNI MARTINELLI arrive from Italy on the *Conte di Savoia* tomorrow.

WILLIAM GEDRIS of Ideal Seating Corp., Detroit, arrives today. He will stop at the Claridge.

LOUIS WEBER, Skouras attorney, made a quick trip to Philadelphia yesterday.

HAL ROACH will not leave for the coast for another week.

ABE MONTAGUE returns from the coast next week.

JAMES CLARKE of Philadelphia was a visitor yesterday.

JOSEPH PLUNKETT is in Canada on business.

CLIFF (UKELELE) EDWARDS is in town.

Mae Sets Coast Record

LOS ANGELES, Sept. 25.—"Belle of the Nineties" broke a four-day record at the Paramount, taking $17,500.

'I'm a Lady' West's Next

HOLLYWOOD, Sept. 25.—Mae West's next film for Paramount will be called "I'm a Lady."

Hoffman Reaches Coast

HOLLYWOOD, Sept. 25.—M. H. Hoffman of Liberty Pictures arrived here today from the east.

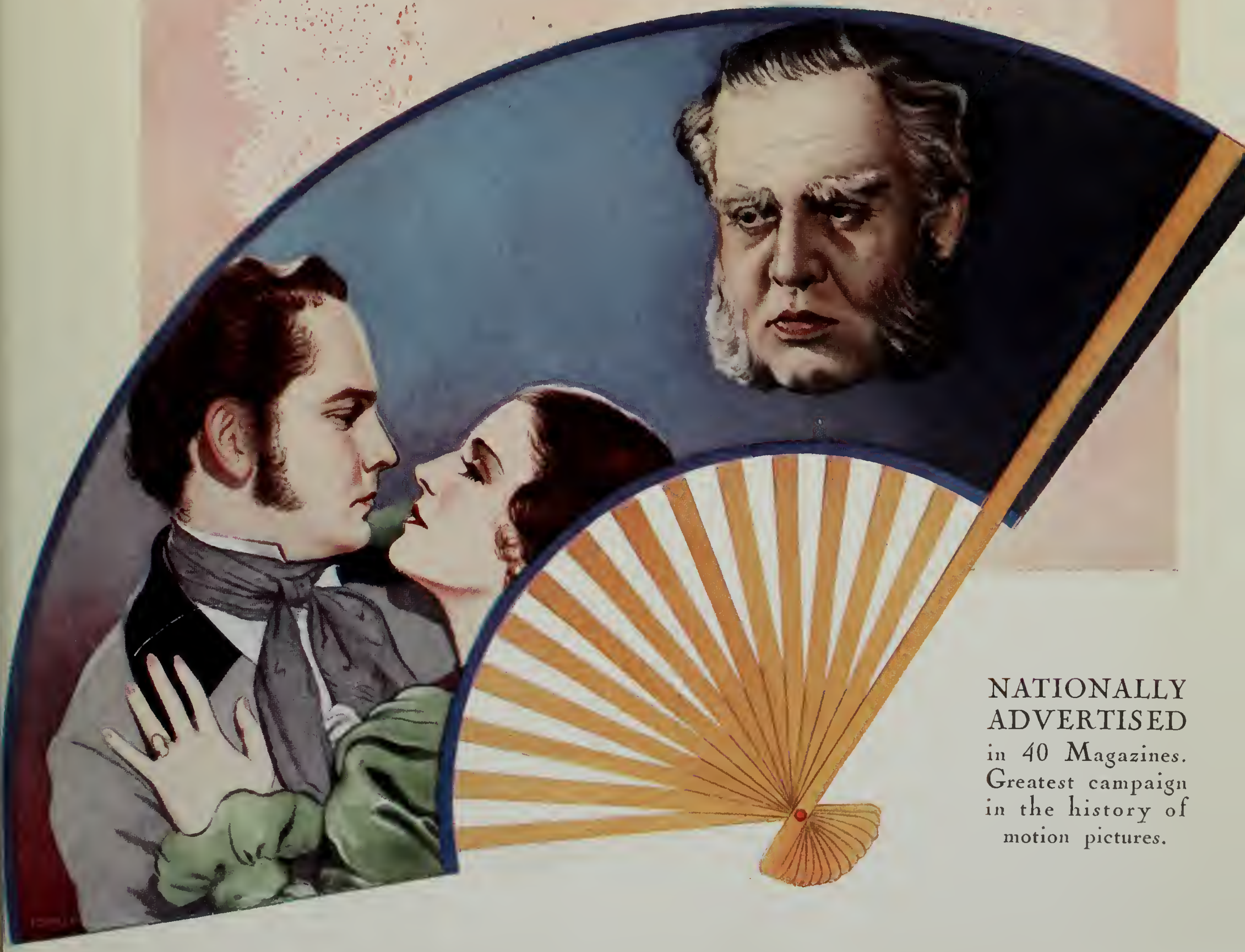
N. Y. Allied to Meet

ALBANY, Sept. 25.—Allied will hold a meeting here tomorrow at the De Witt Clinton Hotel.

MASCOT ANNOUNCES
KEN MAYNARD
IN
"Mystery Mountain"
(IN PREPARATION)
. . . .
"In Old Santa Fe"
(IN PRODUCTION)
Mascot Pictures Corp.
1776 Broadway — NEW YORK

WITH PRIDE IN OUR HEART—

Happily Metro-Goldwyn-Mayer watches the electrifying success of "THE BARRETTS OF WIMPOLE STREET" at the box-offices of the nation. It was our dream to bring the two lovers of "Smilin' Thru" together again in an equally beautiful romance. Fortune was kind and the perfect vehicle appeared. The press showers unstinted praise, the public is thrilled, our exhibitor friends are elated . . . there is pride in our hearts! Congratulations to NORMA SHEARER, FREDRIC MARCH, CHARLES LAUGHTON and all the others who together have given the world this glorious entertainment!



NATIONALLY
ADVERTISED
in 40 Magazines.
Greatest campaign
in the history of
motion pictures.

IN PACKED THEATRES THRILLING THE WORLD THERE IS A NEW METRO-GOLDWYN-MAYER TRIUMPH!

Norma Shearer

Fredric March · Charles Laughton

IN

THE BARRETTS of WIMPOLE STREET

with MAUREEN O'SULLIVAN · KATHARINE ALEXANDER · FROM THE PLAY BY RUDOLF BESIER · DIRECTED BY SIDNEY FRANKLIN

G-B Reported In London in Deal with BIP

(Continued from page 1)

and general manager of G-B, is here establishing Gaumont British in America.

Jeffrey Bernerd, who preceded Ostrer's arrival by a fortnight, also has been working day and night on the development of G-B in this country. Ostrer plans to sail for London in about three weeks and Bernerd will remain until a sales force has been set up nationally. George Weeks is general sales manager and is in Boston lining up a sales crew.

It was stated by a member of the company that it is possible that the talks between Isadore Ostrer and Maxwell may involve an amalgamation between G-B and B.I.P. The latter company has 150 theatres in England and also the largest and finest studios.

Meanwhile, Gaumont British has increased its production program from 26 to 31 for the current season. Of this number only 16 will be released here. Officials of the company state they will not put on the American market any picture which is not suitable for this country.

Fox Deal for One Year

The distribution deal with Fox is considered a fine agreement by G-B executives. S. R. Kent, who closed the deal for Fox, is a director of the English company and the arrangement is for one year. Whether it will be continued could not be stated yesterday. If the deal is not extended G-B will open its own exchanges, it was stated.

Negotiations for taking over the Roxy are not yet cold. Howard S. Cullman recently signed for 12 of the 16 G-B films, the remaining four being sold to the Music Hall. "Chu Chin Chow," current at the Roxy is the first of the dozen. For the first four days the picture garnered $24,200 and it is expected to gross a total of approximately $35,000 before the week is over. It is being held another seven days. "Power," first of the Music Hall's quartet, starts Oct. 4.

Jack Hulbert, Nova Pilbeam and Malcolm Balcon arrive Friday from London. Hulbert and Miss Pilbeam, the latter 14 years old, will make personal appearances at the Roxy when pictures they appear in play the theatre. Balcon will discuss plans for producing in America. Before he sailed from London last Saturday, he conferred wth William O'Brien, who returned from Hollywood after looking over production and talent.

Lesser, Fox Fete Press

A press dinner will be given at the Waldorf-Astoria tomorrow evening by Sol Lesser, producer of "Peck's Bad Boy," and Fox, which is releasing the film. A preview of the picture will follow the dinner. Among the guests will be Jackie Cooper, Thomas Meighan and O. P. Heggie, members of the cast; Eddie Cline, who directed, and George O'Brien and his wife, Marguerite Churchill, who leave soon for London.

Schlaifer Picked To Head G-B Sales

(Continued from page 1)

since 1914, when he joined Warner Features in Calgary, Canada. A year later he left the company for a post with United Film Service, New York. In 1916 he began an association with Universal in a distribution post that ended when he accepted an offer to manage the Unicorn Exchange of Chicago. Then followed a period during which he operated a state rights exchange of his own.

In 1920 Schlaifer returned to Universal as manager of its Seattle exchange. He was later promoted to western division manager of the company. In June of 1927 he left Universal to accept an identical post with United Artists. February of 1932 found him back at Universal as general sales manager until early last year. Schlaifer was with United Artists until recently as assistant to Al Lichtman, vice-president and general salesmanager.

Will Rogers Gets Back

Will Rogers came in yesterday on the *Ile de France* wearing a new brown hat and gray suit. It was the final leg of his round-the-world tour. He will stop here for a week with his daughter and take in some polo games before going to the coast to start work in "The County Chairman" for Fox.

Boyer Contract Exclusive

HOLLYWOOD, Sept. 25.—Charles Boyer's contract with Walter Wanger Productions specifies that the French actor will make all his American pictures for that company. Boyer is now in Europe doing a film. He is set for "Private World" when he returns.

M-G-M Signs Una Merkel

HOLLYWOOD, Sept. 25.—Una Merkel has been signed to a new long-term contract by M-G-M.

Frisco Asks ASCAP Probe by Congress

(Continued from page 1)

value, but has been designed simply for the purpose of increasing revenue of the society at the expense of the public; that the theatre owners have at no time been able to ascertain upon what basis the license fees are established, and for what purpose the money paid therefor is used; that the present license fee is already excessive and the proposed increase would be unreasonable, unfair, unjust and confiscatory."

The movement has the backing of hotels, cafes, restaurants and other local units subject to license fees.

It is unofficially understood that San Francisco representatives will ask backing from all principal cities in taking the fight to Congress.

Exhibitors Will Take Stand on ASCAP Row

(Continued from page 1)

today to take final action on plans for exhibitor opposition to the increased music taxes being placed in effect on Oct. 1 by the American Society of Composers, Authors & Publishers.

A preliminary meeting of the two groups, presided over by Walter Vincent, chairman of the emergency committee, was held yesterday, at which the main committee heard reports on recent conferences had by the legal committee with representatives of the Department of Justice at Washington. Vincent declared at the close of yesterday's meeting that a statement setting forth the exhibitors' program of opposition to the increased taxes would be issued today.

GFTA Invites Governor

ATLANTA, Sept. 25.—Gov. Eugene Talmadge has been invited to address the convention of the G. F. T. A. Independent Theatres' Ass'n. here Oct. 1 and 2.

Looking 'Em Over

"Crimson Romance"

(*Mascot*)

A novel twist is given to a war time aviation story in this by presenting Ben Lyon as the adventurous American who volunteers for service with a German air squadron prior to America's entry into the war. The picture as a whole, however, unreels without other originality. It is, in part, a preachment against war in general and for that reason may be aided by the current interest stirred up by the Congressional munitions inquiry.

Lyon, and James Bush, who plays the part of an unnaturalized German-American, volunteer in the German war service after Bush has been barred from employment in plane factories here because of his alien birth. When America enters the war, Lyon escapes in a German plane and later leads an Allied squadron to the munitions dump that he had formerly guarded with a German air unit. The raid is successful for the Allied force but during its progress Lyon sees his former buddy shot down. Interwoven is a romantic rivalry between the two buddies over Sari Maritza, a German ambulance driver, with whom Lyon is reunited after the war.

Air sequences are good and the cast names may aid in some locations. In addition to those named there are Hardie Albright, Erich Von Stroheim, William Bakewell, Vincent Barnett, Purnell Pratt, Jason Robards and Oscar Apfel. Running time, 68 minutes.

Jersey Dual Ban Believed To Be Doomed

(Continued from page 1)

Loew's has cut prices in Jersey City while Warners have added 12 radio acts in the DeWitt, Bayonne, after eliminating one of the two features. Some of the unaffiliated exhibitors believe that if the single feature policy were adopted, a price war would follow, and hence do not want to sign any agreement.

Executives of Allied still have hopes that some of the 15 theatres holding out will sign by Oct. 3.

Pettijohn Asks More Unity in Tax Fight

LOS ANGELES, Sept. 25.—Addressing a special meeting of the I. T. O. of Southern California today, C. C. Pettijohn, general counsel of the M. P. P. D. A., urged closer coordination between distributors and exhibitors to fight any adverse legislation that might be imposed on the industry, especially excessive taxation, admission levies in particular.

Following Pettijohn's address the I. T. O. selected Harry Chotiner to represent its interests at the clearance hearing to be held in New York Oct. 3. The group also discussed certain changes in the zoning schedule which, in the belief of the board of directors, would work a hardship on the independents here.

It was said Chotiner would protest these changes at the hearing and ask Campi to consider appointing a number of the I. T. O. men to the new clearance and zoning bodies to be named in November and to become operative Jan. 1. The members believe this doubly necessary because all the members of the local board representing unaffiliated exhibitors are members of the newly organized Associated Exhibitors of Los Angeles, which came into being as result of a split in the ranks of the I. T. O.

Detroit Smoking to Be Stopped Oct. 10

DETROIT, Sept. 25. — Smoking in Detroit is out after Oct. 10. This is the result of an ordinance which has been given final approval of the Common Council. The new legislation was recommended by the Board of Fire Commissioners after Fire Marshal G. S. Goldwater had termed smoking in theatres a fire hazard.

Penalty for violation of the new law calls for a 30-day jail sentence, $100 fine, or both. Punishment will be meted out to both the patron smoker and the theatre manager.

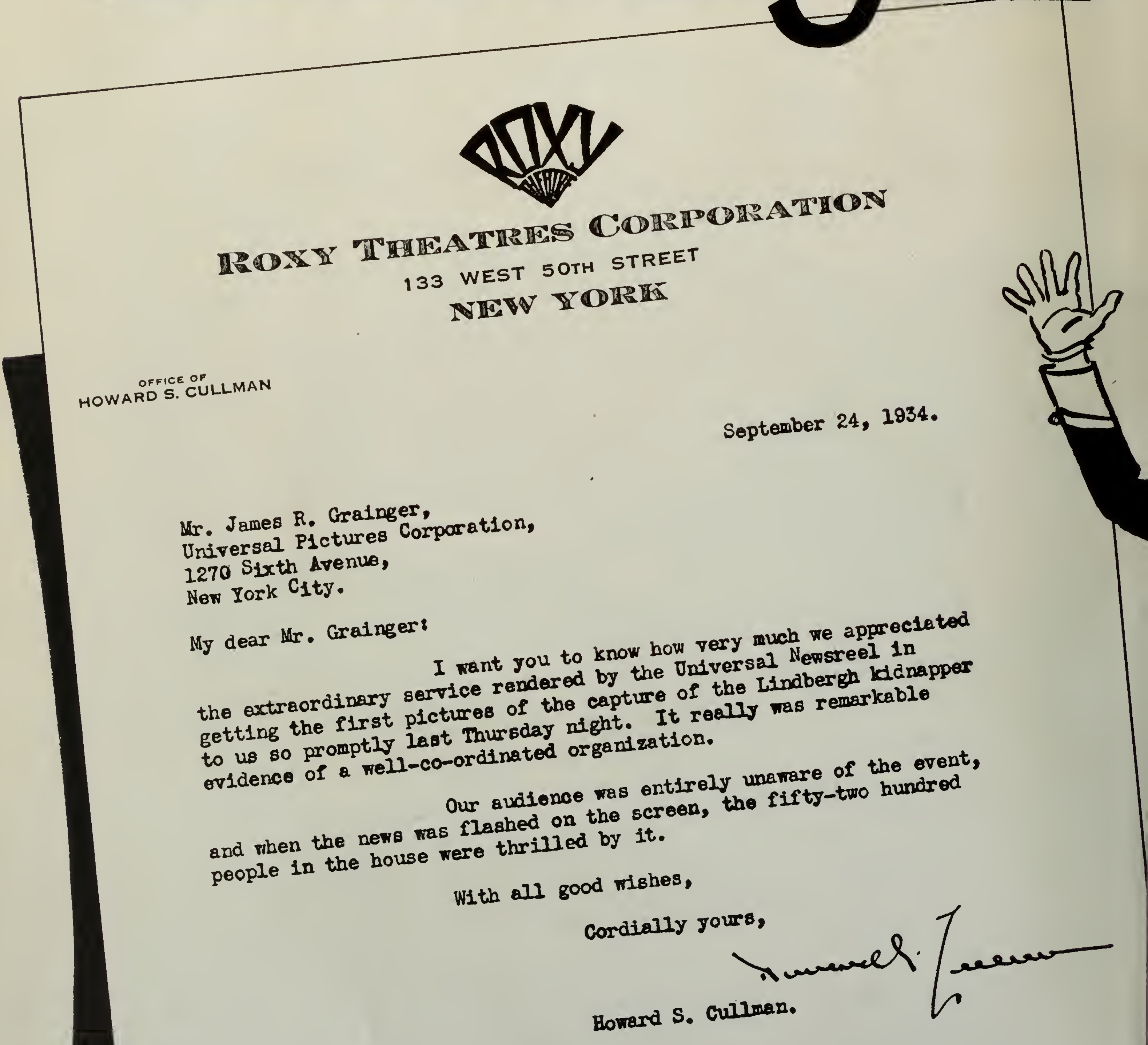
Balcony Smoking in L. A.

LOS ANGELES, Sept. 25.—The city ordinance permitting smoking in theatre balconies went into effect yesterday. The result has been a greater demand for balcony than for orchestra seats.

Para. Picture Retitled

HOLLYWOOD, Sept. 25.—"Wings in the Dark" has been chosen as the release title of Paramount's "Eyes of the Eagle."

-always



ROXY THEATRES CORPORATION
133 WEST 50TH STREET
NEW YORK

OFFICE OF
HOWARD S. CULLMAN

September 24, 1934.

Mr. James R. Grainger,
Universal Pictures Corporation,
1270 Sixth Avenue,
New York City.

My dear Mr. Grainger:

I want you to know how very much we appreciated the extraordinary service rendered by the Universal Newsreel in getting the first pictures of the capture of the Lindbergh kidnapper to us so promptly last Thursday night. It really was remarkable evidence of a well-co-ordinated organization.

Our audience was entirely unaware of the event, and when the news was flashed on the screen, the fifty-two hundred people in the house were thrilled by it.

With all good wishes,

Cordially yours,

Howard S. Cullman.

hsc;rb

first!

STEP OUT WITH

UNIVERSAL NEWSREEL

PICK YOUR FAVORITE TRADE

PAPER REVIEWER*

They have different ways of saying it but the words all mean: "it's great!"

***Variety Daily:** Excellent entertainment for both adults and children. Poignantly and emotionally told. Nothing overlooked from broad comedy to tear-jerking situations.

***Film Daily:** A certain hit! Every boy and everyone who has been a real boy will want to see this picture. Jackie Cooper scores in title role.

***Showmen's Round Table:** Box-office bull's eye loaded with adult and kid appeal. Excellent suspense . . . absorbing dramatic moments . . . hilariously funny situations.

***Motion Picture Herald:** Chock full of salable elements. Humanly real . . . sympathy-stirring drama . . . comedy . . . tragedy . . . and unaffected heart-warming tenderness.

***Motion Picture Daily:** A real hit! Rich and wholesome . . . full of vitality . . . glowing with incidents that tickle the ribs and wet the eye.

Jackie Cooper in

PECK'S BAD BOY

THOMAS MEIGHAN
JACKIE SEARL
O. P. HEGGIE
DOROTHY PETERSON

A Sol Lesser Production
Directed by Edward F. Cline
Screen play by Bernard Schubert and Marguerite Roberts

FOX

Para.'s Bank Action Faces Delay Again

(*Continued from page 1*)

who told the court that a settlement agreeable to banks and important creditor groups was imminent and would make possible the submission of a final reorganization plan for Paramount Publix within the next few weeks.

Arthur A. Ballantine, of counsel for the Paramount Publix trustees, told the court that the trustees were uncertain as to whether or not they should oppose further postponement of the suit. He declared that if a settlement could be reached which the trustees could approve they would prefer a settlement to lengthy litigation with its burden of expense to the Paramount estate, but also felt that if a settlement could not be reached the suit should be begun at once.

Bogue said that the banks have already agreed to the terms of a tentative settlement. It is understood that the proposal calls for a cash payment to the banks of $3,600,000, with the $9,600,000 balance established as a general creditors' claim. Lansing Reed, representing the Paramount Publix bondholders' committee of which Frank A. Vanderlip is chairman, stated that the tentative agreement reached with the bank was satisfactory to the committee, and a similar endorsement was given the settle ment by Louis M. Loeb, representing the stockholders' committee.

Judge Coxe stated that he did not believe the trustees could bring the bank suit to trial by early November and felt that the court could accept the responsibility of granting the adjournment, hoping the settlement might be concluded. He pointed out that the trustees' motion may be made again if a settlement is not effected soon.

Congressmen Study Para. B'way Plan

(*Continued from page 1*)

Reorganization committee at its first session in the Federal Bldg. here yesterday.

Charles D. Hilles, Eugene W. Leake and Charles E. Richardson, trustees of Paramount Publix, were subpoenaed by the Congressional committee for questioning in connection with the plan, as was Peter Grimm of William A. White & Sons, chairman of the Paramount Broadway bondholders' committee. Arthur A. Ballantine of Root, Clark, Buckner & Ballantine, counsel for the Paramount Publix trustees, aided in furnishing the committee with information on the Paramount Broadway plan. The Congressional committee, of which Rep. A. J. Sabath of Illinois is chairman, indicated that the group might be called again for further questioning in the future.

The Federal committee is engaged in a national investigation of the administration of real estate for mortgage bondholders by committees established for that purpose. The plan of reorganization for Paramount Broadway Corp. involves the release of claims aggregating $178,000,000 against Paramount Publix. Various objections to the plan have been raised by small groups of bondholders and the Paramount Publix trustees have been engaged in efforts to meet these objections.

Fitzgibbon Here on Para. Joinville Plan

(*Continued from page 1*)

confer with John W. Hicks, Jr., vice-president of Paramount International Corp., on plans for continuing the Joinville plant as an important production center in France. Fitzgibbon, who will be here several weeks, is on his native heath for the first time in five years.

Two other Paramount foreign representatives are making preparations to leave for their posts. J. P. Donohue, manager for Paramount in Puerto Rico, leaves for San Juan tomorrow after several weeks in the States. S. E. (Ted) Pierpoint, manager of the Paramount office in Cristobal in the Canal Zone, returns to his post next week.

Four Grievances Up For Campi Hearings

Four grievance cases, two from Atlanta, one from Oklahoma City and another from Cincinnati were heard yesterday by a code committee comprising Charles L. O'Reilly, chairman; Robert Wolff of Radio and Julius Charnow, independent exhibitor.

The cases were Strand, Knoxville, against the Bijou, same city, on premature advertising; Strand, Dayton, against the Garden, Columbus, premature advertising; American, Park, Ritz, Bijou, Bonito and Cameo, Chattanooga, against the Tivoli, State and Rialto, Atlanta, on overbuying; Ogden, Shawnee, Okla., against the Bison, Criterion and Rex, same city, on overbuying.

Attacks Block Booking

NIAGARA FALLS, Sept. 25.—Block booking was attacked here yesterday by Mrs. B. F. Langworthy of Chicago, president of the National Congress of Parents and Teachers. She said she believed a bill to be introduced at the next session of Congress to outlaw the practice would be passed.

M-G-M to Do Crime Yarn

HOLLYWOOD, Sept. 25.—M-G-M will produce a series of six two-reel dramas based on actual crime as gathered from police files. The first will be called "Two Hundred Grand," with George Seitz directing. Talent will be taken from the junior stock company. Harry Rapf will produce.

Sam Bischoff at Work

HOLLYWOOD, Sept. 25.—Sam Bischoff has returned from a vacation in Honolulu and has gone to work at Warners, where his next two productions will be "Sweet Music," starring Rudy Vallee, and "Casino de Paree," starring Al Jolson.

Johnson Quits NRA Job; Resignation Is Accepted

(*Continued from page 1*)

plan before enactment of the National Industrial Recovery Act. When the bill was finally passed he was made administrator with full control on June 16, 1933. The organization now has 2,200 employes and 95 per cent of all industries are codified.

It is anticipated the NRA will be administered on a commission principle, with four or five men in charge instead of a single individual. Two or three business leaders probably will be in the controlling group, it is understood.

Under this setup the NRA will be divided into legislative, judicial and executive functions. One-man operation has been under attack from business leaders and others for some time, many claiming codes have been handicaps to recovery rather than a help.

In recent weeks Johnson has been criticized for his iron handed administration by members of the Roosevelt official family, including Donald R. Richberg, who for many months was right hand man to Johnson, and Secretary of Labor Perkins. The dissension between these two groups became so acute the matter was finally taken to the President, and it is understood he decided on the new form of administration as most desirable for the NRA.

Code Amendments Up to Campi Body

(*Continued from page 1*)

code violations. Many complaints have been received to the effect that the standard contracts of some distributors are violating the code.

A report on the amendments and the contract analysis will be submitted to Code Authority at its meeting tomorrow. Attending the legal meeting at the M.P. Club yesterday were William Jenkins, Willard McKay, Louis Phillips, D. O. Decker, Harold S. Bareford, I. Levinson, Nathan Yamins, John C. Flinn and Tyree Dillard, Jr.

Another vital subject to come before Campi tomorrow is the complaint of Trio-Consolidated's Forum and Fleetwood against Loew's Victory on clearance. This case has created wide interest locally inasmuch as both cases have been heard. After the board had handed down a decision on the Forum, it deadlocked on the Fleetwood. It was then decided to hold a retrial and join the cases.

Grievances Dropped At a Hearing Here

Two complaints were thrown out by the New York grievance board yesterday. One was an overbuying charge on new product and the second a conspiracy allegation. Members of the board would not let the complainants complete their cases. They were halted and dismissed without prejudice, with the right to file again.

The first case was that of the Royal, Port Jervis, against the Strand and Ritz. Al Suchman, attorney defending the Royal, charged that Harry Shiffman had purchased 404 pictures for both houses when his requirements called for 312.

Shiffman contended that up to date he had bought only 259 features and that he needed around 100 more to meet cancellations and to provide sufficient playdates for pictures promised which may not be delivered.

The second complaint was that of Leon Rosenblatt of the Westwood, Westwood, N. J., against the Pascack, same city, charging that RKO, Universal and Vitagraph were in a conspiracy with Skouras not to sell him.

Louis Weber, attorney for Skouras, stated that aside from Fox, which the circuit has under franchise, Skouras had bought only Paramount. Since Skouras had not completed its buys for the season, the board felt the complaint was premature.

New Fox Met Plan Aims to Avoid a Sale

(*Continued from page 1*)

care for 20 per cent of their claim, 30 per cent of the balance would be met with four per cent cumulative bonds of the new company, and the remaining 50 per cent in income bonds on which no interest would be paid until the prior issue has been retired.

All of the common stock of the new company would be issued to Fox Theatres and Fox Film, which are virtually the only unsecured creditors. Skouras and Randforce would serve without salary, but would receive 50 per cent of hte profits of the new company. The operators would also be responsible for new operating capital for the reorganized company. It is understood that Skouras and Randforce have given tentative approval to this proposal.

Palmer contends that his plan would end interminable litigation in the Fox Met picture, would give the bondholders some immediate cash and would provide for a complete liquidation of their claims within eight or nine years; would preserve the present Fox Theatres and Fox Film equity in Fox Met. and would save the new company the $125,000 aggregate salaries of Skouras and Randforce.

F. W. C. Expanding In So. California

(*Continued from page 1*)

a new operating division which will take in all theatres in Pasadena, Glendale and beach communities, with Cullen Espy, former Skouras operator in St. Louis and Long Island, in charge.

This week F. W. C. will take over the F. W. C. houses in Hollywood, the M. Y. Herond circuit and all but one of the houses operated in southern California by Pacific National Theaters.

Roscoe Turner Sailing

Roscoe Turner, speed flyer, who is aviation adviser to Warners, leaves for England aboard the *Washington* today to take part in the London-to-Melbourne air derby. The plane he will pilot has been named the *Warner Comet.*

The Leading Daily Newspaper of the Motion Picture Industry

MOTION PICTURE DAILY

Alert, Intelligent and Faithful Service to the Industry in All Branches

VOL. 36. NO. 74 NEW YORK, THURSDAY, SEPTEMBER 27, 1934 TEN CENTS

Rapf to Help New Stars on M-G-M's List

Christians and Schwartz Set for Big Roles

By **WILLIAM ORNSTEIN**

Two new stars will shine in the M-G-M firmament this season, Harry Rapf, executive producer, stated yesterday. They are Mady Christians and Maurice Schwartz.

M-G-M has great faith in Miss Christians, Rapf said, and the company is going to put out a big campaign to put her over. "The actress is internationally known and is among the finest we have on our roster," he declared. Her first starring vehicle will be "Wicked Woman" and this will be followed by an operetta, not as yet designated.

Schwartz has been at the M-G-M studios for the past three months

(*Continued on page* 6)

Police Chiefs Hit Gangster Pictures

WASHINGTON, Sept. 26.—Strong condemnation of film glorification of gangsters and criminals is voiced in resolutions submitted today to the International Ass'n. of Police Chiefs at their annual convention by Chief Hugh D. Harper of Colorado Springs. The resolution is slated to be adopted tomorrow.

The association commends the church campaign against indecent pictures and the production of pictures

(*Continued on page* 6)

Operator Question Up At 2 ITOA Meetings

The local operator situation was discussed at two different meetings of the I.T.O.A. yesterday. The cabinet met in the morning and talked over the union situation. In the afternoon the general membership heard Harry Brandt, who is a member of the NRA fact-finding committee, give a summation on conferences held by the committee.

Art Cinema Will Be Dissolved Here Soon

DOVER, Del., Sept. 26.—Art Cinema Corp. of New York, a Delaware corporation, has called a meeting of all common stockholders to be held in the company offices, 729 Seventh Ave.,

(*Continued on page* 6)

By Wholesale

Hollywood, Sept. 26.—A producer, who couldn't recall the title of the picture he wished to talk about, described it thusly to a writer at M-G-M: "Oh, don't you remember? It was the picture where the cast went crazy one-by-one, and the audience went crazy in pairs."

Stuart Named for Columbia Ad Post

Herschel Stuart yesterday was appointed director of public relations for Columbia by Jack Cohn. He succeeds George Brown, who has joined an advertising agency. Stuart will have under his supervision the radio, advertising, publicity and exploitation departments. He takes over his duties today.

Stuart was born in Franklin, Ky., July 17, 1893. His early career consisted of newspaper work which was followed by handling publicity for circuits. Following publicity work, he

(*Continued on page* 6)

Warners Will Build 4 New Sound Stages

HOLLYWOOD, Sept. 26.—Plans have been approved by Jack L. Warner, vice-president in charge of Warner production, for the erection of four new sound stages at the Warner-First National studios in Burbank, bringing the number there to 14. Construction is expected to start within two weeks and will give work to 2,000 men for three months. Each of the stages will be 150 feet wide and 300 feet long.

According to Warner, the construction program has been made necessary by the fact the two companies are now in the midst of the greatest production activity in their history.

Exhibitors Decide to Drop ASCAP Action

Final determination not to initiate an independent legal action of any kind against the A.S.C.A.P. was made yesterday at a joint meeting of the exhibitors' emergency and legal committees in the Paramount Building, at which it was decided to await the outcome of the Federal anti-trust suit seeking the dissolution of A.S.C.A.P. and other music licensing groups.

"We have been advised that the government's suit fully covers the exhibitor situation now," Walter Vincent, chairman of the emergency committee, said following yesterday's

(*Continued on page* 2)

ROSENBLATT MAY RESIGN NRA POST

New Leaders, Policies Predicted Within Two Weeks

WASHINGTON, Sept. 26.—Resignation of Division Administrator Sol A. Rosenblatt from the NRA would not surprise observers here. He was regarded as third man in importance under General Hugh S. Johnson's regime.

New leadership and new policies are not expected to be made known for two weeks. The former probably will be announced just before General Johnson leaves permanently on Oct. 15.

Faced with a steadily growing opposition on the part of industry to the iron-fisted regime of the Johnson era, the President is understood to be meeting with some difficulty in securing the services of outstanding business men to head the organization unless they can be assured there will

(*Continued on page* 6)

Federal Loans On Equipment To Be Sought

The Federal Housing Administration, which is making available to exhibitors a total credit of possibly $33,000,000 for repairs, will be requested by manufacturers and dealers in theatre equipment to allow loans to be applied to the purchase of new equipment as well as to the improvement of theatre properties, according to *Motion Picture Herald*, out today.

"Although manufacturers and dealers in theatre equipment," asserts the *Herald*, "appear to be in a favorable position to benefit anyway by a general 'buying atmosphere' even though

(*Continued on page* 6)

Circuits Against Higher Sign Cost

Circuit representatives have advised contractors for theatre sign work that no increase in rates will be made to meet the 10 per cent wage increase demands of Local 230, New York Sign Writers' Union, it was learned yesterday.

On Sept. 15 the sign writers' union presented its demand for an increase from $13.20 to $14.70 for a seven-hour day. Contractors agreed to the increase on the condition that circuits

(*Continued on page* 6)

Minnesota Grosses In 1933 $7,523,000

WASHINGTON, Sept. 26.—Receipts of Minnesota's 314 film theatres last year amounted to $7,523,000, while payrolls reached $1,514,000, according to figures made public by the Census Bureau.

There were three legitimate theatres

(*Continued on page* 6)

Denver's Holdovers Up to 13 for Year

DENVER, Sept. 26.—Films must be getting better. During the past year there have been 13 holdovers, as against four the previous 12 months. One, "House of Rothschild," stayed three weeks, but this record may be

(*Continued on page* 6)

Allied at Albany Again Hits Code

Albany, Sept. 26.—Reiterating the sentiments voiced at the Allied of New Jersey meeting in Atlantic City, members of Allied States of New York today vigorously attacked the code. A resolution calling for Congressional investigation of all phases

(*Continued on page* 6)

Bank Night Appeals Up to Campi Oct. 8

KANSAS CITY, Sept. 26.—Appeals of four bank night cases originating in Kansas City will be heard by Campi on Oct. 8, Grace Gannon, local secretary, has been informed from New York. Appellants contend the box-office stimulator is neither a legal violation nor an infraction of the code. The appeals are by the Roanoke, Colonial, Southtown and Westport Theatres and are considered in the nature of a national test.

Announce Election Of Academy Groups

HOLLYWOOD, Sept. 26.—The boards and executive committees of the various Academy branches were named today. They will elect officers of the organization at the annual election,

(*Continued on page* 6)

MOTION PICTURE
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(Registered U. S. Patent Office)

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First Division Will Delay on Treasurer

First Division will not name a treasurer under the reorganization setup until the first annual convention is over. The four-day meet starts tomorrow at the Park Central.

Product and the opening of new exchanges will highlight the session. Harry H. Thomas, president, will preside.

C. H. Thimmig Buried

ST. LOUIS, Sept. 26.—Funeral services were held today for Charles H. Thimmig, 59, prominent real estate man and one time theatre owner, who died at St. Anthony's Hospital on Sept. 24. He was admitted to the hospital about two weeks ago.

Thimmig, with his brother, Walter A. Thimmig, operated the old Midway until about six years ago.

Miss Mehrmann Dead

OAKLAND, Cal. Sept. 26.—Helen Alice Mehrmann, comedienne, who appeared on stage and screen in the silent picture era, is dead here after a prolonged illness. Her last appearance on the stage was in 1932.

Reardon Services Held

Funeral services for Stephen Reardon, who died early Tuesday, were held yesterday at the Walter B. Cooke Funeral Parlor. Burial was in the Calvary Cemetery.

MOTION PICTURE DAILY'S HOLLYWOOD PREVIEW

"Kid Millions"

(United Artists)

SAN DIEGO, Sept. 26.—Versatile Eddie Cantor jumps from Greece to Egypt in "Kid Millions," which was previewed here at the Fox.

There are plenty of exploitation possibilities in the new Cantor film—plenty of laughs and pretty girls and a fairly strong plot, although a half hour could be cut out of it.

Cantor is an East Side boy who inherits 77 millions left by his father, Prof. Edward Grant Wilson. The father had found the jewels in an Egyptian tomb. Complications arise when Cantor tries to claim the inheritance. Col. Harry Larrabee (Burton Churchill), head of a society which had financed Wilson, and Tough Guy Louie (Warren Hymer) and his girl friend (Ethel Merman) also try to chisel in on the jewels.

Ann Sothern is a pleasing eyeful as the colonel's niece. Cantor is nearly boiled in oil by an angry sheik (Paul Harvey), who wants to punish the Americans for breaking into his ancestors' tomb. The sheik's daughter (Eve Sully) falls for Eddie and saves his life. He finally escapes in a plane furnished by the girl. When he gets to New York he erects an ice cream factory for kids who never get their fill of ice cream.

One of the best shots is a color sequence of children being hoisted to 20-foot ice cream sodas. The most artistic shot is the sheik's wives dancing for Eddie by a pool.

Donaldson's and Kahn's lyrics went over big with the audience, especially "When My Ship Comes In" and "Head on My Shoulder." Irving Berlin's "Mandy" is featured in a minstrel show on a ship.

Cantor furnishes most of the fun. The jokes are fresh enough to tickle almost any funnybone. Running time, 100 minutes.

Olympic Has Six Ready

Olympic Pictures, American distributor for Twickenham, Ltd., British independent producer, has acquired the first six pictures on a schedule of 18 which it will release for Twickenham this season, according to M. J. Kandel, Olympic president. The initial six are ready for distribution here.

L. B. Mayer and Wife Sail

LONDON, Sept. 26.—Louis B. Mayer and his wife sail tomorrow on the *Paris* for New York. While here Mayer completed details for M-G-M production unit in England.

Mayer will arrive in New York Oct. 3 and will stay there only one day.

Dr. Kalmus Going West

Dr. Herbert T. Kalmus, president of Technicolor, leaves for Hollywood either today or tomorrow.

Minister Sues Warners

HACKENSACK, Sept. 26.—Suit for $250,000 alleged damages was filed today in the Bergen County Clerk's office by Rev. Vincent G. Burns, pastor of the Union Church, Palisades, against Warners. He charges he was libeled in "I'm a Fugitive from a Chain Gang," the story for which was written by his brother.

Diamond's Deal Is Off

Dave Diamond's plans to produce two pictures a year for Columbia in England have fallen through. Diamond has returned from London after conferring with Joseph Seidelman, in charge of foreign activities for Columbia, and Joseph Friedman, in charge of distribution in England.

Franchise on 2nd Year

RKO starts the second year of its Paramount franchise locally tomorrow when "She Loves Me Not" opens at the Palace.

Heavy Para. Sales on Big Board

	High	Low	Close	Net Change	Sales
Columbia Pictures, vtc	37⅝	36¾	36¾	— ⅝	1,300
Consolidated Film Industries	3⅜	3¼	3⅜	.....	600
Consolidated Film Industries, pfd	14⅝	14¼	14⅜	+ ⅛	1,900
Eastman Kodak	99	98⅝	99	+ ½	500
Eastman Kodak, pfd	143	143	143	+3	3,000
Fox Film "A"	12⅝	12½	12⅝	— ⅛	500
Loew's, Inc.	28⅞	28	28½	.....	2,600
Paramount Publix, cts	4¼	4	4⅛	— ⅛	114,400
Pathe Exchange	1⅜	1¼	1¼	— ⅛	1,400
Pathe Exchange "A"	13¾	13½	13½	.....	800
RKO	2⅜	2¼	2⅜	+ ⅛	200
Warner Bros.	5½	5⅛	5¼	.....	3,300

Curb Issues Show Gains

	High	Low	Close	Net Change	Sales
Technicolor	13	13	13	+ ¼	400
Trans Lux	2	1⅞	2	+ ⅛	1,300

RKO Bonds in 3-Point Rise

	High	Low	Close	Net Change	Sales
General Theatre Equipment 6s '40	7	6½	7	+ ⅝	7
Loew's 6s '41, ww deb rights	102	102	102	+ ¼	2
Paramount Broadway 5½s '51	37⅛	37⅛	37⅛	—1⅝	1
Paramount F. L. 6s '47	57½	55	57	+1¼	60
Paramount Publix 5½s '50	57¼	55½	57	+1½	34
RKO 6s '41, pp	30	30	30	+3	1
Warner Bros. 6s '39, wd	60	59¾	60	+1	39

Exhibitors Decide to Drop ASCAP Action

(Continued from page 1)

meeting. "Therefore, we will not initiate any action of our own, but will await the outcome of that suit."

It is understood that the Attorney General's office at Washington has advised exhibitors that it will move for a preference for its suit on the Federal trial calendar here and expects the action to be under way by late October. The music tax increases proposed by A.S.C.A.P. become effective Oct. 1.

The exhibitor committees' decision to waive legal action will result in the withdrawal of George Z. Medalie from association with the group. Medalie was retained by the exhibitors about one month ago.

Vincent stated that whatever action exhibitors may take in accepting or rejecting new contracts with A.S.C.A.P. at the increased rates would have to be a matter for individual judgment. It is understood that most circuits are paying on the basis of the increased rates, but under protest in the hope of having a cause of action to recover the amounts paid in the event the Federal suit is successful. Vincent said that the recent notice sent out by A.S.C.A.P. notifying exhibitors that the old rate of 10 cents per seat would continue in effect for theatres of 800 seats or less, charging 15 cents or less for the highest adult admission at any performance, "affected too few theatres to be significant to either exhibitors or A.S.C.A.P."

O'Brien Would Play The Polished Cowboy

George O'Brien likes to play the part of the polished cowboy, he stated yesterday upon his arrival from the coast. He was accompanied by Eddie Cline. Both sail Saturday for London with Sol Lesser to make exteriors for "The Cowboy Millionaire."

Janet Rex, handling publicity for Lesser, is in town for five weeks. Yesterday Cline was introduced to an afternoon audience at the Capitol by Jackie Cooper, while O'Brien appeared on the Kate Smith radio period as guest artist.

E. W. Hammons at Ampa

Ed Finney will be guest chairman and Earl W. Hammons, Educational head, will be guest speaker at the weekly Ampa luncheon today. Among the entertainers will be Ernest Truex, Tom Howard, George Shelton, York and King, Sylvia Froos, Harry Gribbon, Frank Luther, Charles Carlisle, Marion Martin and the Mountain Melodeers. John Myers, publicity director for London Films, will be a guest of honor.

Gumperg for G-B Post

Irving Gumperg may be named manager of the Gaumont British exchange in New York, it is understood. L. J. Schlaifer, sales manager, could not be reached yesterday for verification.

Columbians Entertain

The Columbians, home office club at Columbia, will hold a "Home Talent Dinner Dance" at the M.P. Club tomorrow night. Practically all of the acts will be recruited among home office workers.

IMPORTANT NOTICE TO THE TRADE!

WARNER BROS.

beg to announce that they will

SPECIALIZE

exclusively in the production of

COMEDIES

such as "Here Comes the Navy"

MUSICALS

in the manner of "Dames"

ROMANCES

like "Happiness Ahead", which previewers call "grand"—"a sweet picture"—"100% entertainment"

AND DRAMAS

such as "British Agent", which has just done 2 weeks' business in its first 5 days at New York Strand—

FOR 1934-'35

"WE'RE LOOKING FORWARD TO

Sept. 22
WARREN WILLIAM
in
"THE CASE OF THE HOWLING DOG"*
Introducing the New King of Crime-Hunters —Perry Mason

Sept. 29
BARBARA STANWYCK
in
"A LOST LADY"°
From the Famous Novel by Willa Cather, Pulitzer Prize Author

Oct. 6
GUY KIBBEE
ALINE MacMAHON
in
"BIG HEARTED HERBERT"*
From the Long-Run Stage Hit

Oct. 13
JOAN BLONDELL
GLENDA FARRELL
HUGH HERBERT
in
"KANSAS CITY PRINCESS"*
The "Havana Widows" in gay Paree

WARNER BROS.' HAPPIEST SEASON"

Oct. 13
DOLORES DEL RIO
in
"MADAME DU BARRY"*
Warner Bros.' Royal Blush

Oct. 20
JOE E. BROWN
in
"6 DAY BIKE RIDER"°
Backed by $100,000 National Quaker Oats Promotion Campaign

Oct. 20
PAT O'BRIEN
in
"I SELL ANYTHING"°
A Riotous Comedy of Super-Salesmanship

Oct. 27
DICK POWELL
in
"HAPPINESS AHEAD"°
with
JOSEPHINE HUTCHINSON
The Season's Surprise!

Rosenblatt May Quit Recovery Post

(Continued from page 1)

be a return to industry of the measure of self-government to which it contends it is entitled.

The four outstanding reforms now needed in the NRA, according to observers, are relaxation of dictatorships over industries; improvement in administration so that prompt action can be secured on problems as they arise; simplification of codes and reduction of code expense to industries, and development of adequate enforcement.

Announcement of Johnson's resignation, long anticipated, was followed today by intimations that many of the men who have been working under him also are preparing to quit the organization. One of the first steps of the incoming administration, it is expected, will be a shakeup of personnel, which will eliminate many of the "part timers" who have been commuting between Washington and their own businesses, and those who have been the strongest imitators of the general's "crack down" methods.

In the light of recent events, it is believed probable that if Rosenblatt quits in the not distant future, the administration of the amusement codes will be taken over by his chief aide, William P. Farnsworth.

The ground for this belief lies in the fact that during the past few weeks Farnsworth has been taking over more and more of the code work which theretofore had been handled exclusively by Rosenblatt. He has been handling some of the labor interpretations; has been working with the legal division on extra and agency committee reports; sat in, two weeks ago, with the group which has been drawing up the general statement of policy for the organization, and tomorrow will attend the Campi meeting in New York.

Allied at Albany Again Hits Code

(Continued from page 1)

of negotiation, drafting and administration was passed.

Another resolution was passed for a revision of the copyright laws. Extension of the N.I.R.A. and to provide for a new and fair code with unbiased government representatives also was sought in a third resolution.

The meeting was informal. Among those speaking were Sidney Samuelson, president of the national organization; Nathan Yamins, president of the I.T.O.A. of New England, and Aaron Saperstein of the Chicago unit.

Officers elected were Abe Stone, president; Chester Fenyvessy, Robert Goldblatt and George King, vice-presidents; E. F. Tarbell, secretary, and Chester R. Didsbury, treasurer.

William Smalley is chairman of the board of directors, which includes Robert Goldblatt, Fenyvessy, Abe Papayanakos, Henry Frieder, H. C. Morse, Charles Wilson, John W. Gardner and R. P. Merriman.

20th to Film 'Miserables'

Hollywood, Sept. 26.—Twentieth Century has raised its current program to two features with the decision to produce "Les Miserables," the Victor Hugo classic.

Federal Loans To Be Asked on Equipment

(Continued from page 1)

actual loans cannot under present interpretations be applied to any but permanent and unmovable improvements, the equipment interests hope to have the status of seats, carpeting and sound revised to permit of their classification as permanent fixtures.

"At the same time, loans for sound and other equipment if actually built into the theatre will be approved. In sound equipment circles, however, opinion has been expressed that this ruling eliminates sound heads and allied apparatus from the provisions of the act. Some equipment interests have even gone so far as to declare that screens, projectors, generators and the like should be eligible for purchase because no theatre could operate without them."

The government has asked theatres throughout the country to extend their facilities to the advancement of its better-housing program.

Announce Election Of Academy Groups

(Continued from page 1)

tentatively set for Oct. 9. The list follows:

Actors—Board: Lionel Atwill, Warner Baxter, Walter Huston. Executive committee: Atwill, Jack Holt, DeWitt Jennings, Raymond Hatton, George Irving, Paul Lukas, Warner Oland.

Directors—Board: Frank Capra, Cecil B. DeMille, Frank Lloyd. Executive committee: Frank Borsage, John Cromwell, Ernst Lubitsch, Capra, William K. Howard, Lewis Milestone, W. S. Van Dyke.

Assistant Directors—Executive committee: Al Alborn, Horace Hough, W. J. Reiter, Sidney Brod, Percy Ikerd, R. L. Selander Charles Stallings.

Producers—Board: Samuel Briskin, B. B. Kahane, Irving Thalberg. Executive committee Briskin, Pandro Berman, Kahane, Thalberg, Emanuel Cohen, Louis B. Mayer, Darryl Zanuck.

Technicians — Board: Farcio Edouart, Nathan Levinson, Max Parker. Executive committee: John Arnold, Fredric Hope, Wesley C. Miller, Harris Ensign, Levinson, Loren Ryder, Van Nest Polglase.

Writers—Board: Howard J. Green, Grover Jones, Waldemar Young. Executive committee: Bartlett Cormack, Jack Cunningham, Howard Estabrook, Green, Jane Murfin, Robert Riskin, Young.

Minnesota Grosses In 1933 $7,523,000

(Continued from page 1)

in the state which operated at a considerable loss, it was reported, receipts being $89,000 while payrolls alone were $93,000.

Minneapolis had 53 theatres which reported receipts of $3,058,000 and payrolls of $752,000, while St. Paul reported 25 with receipts of $1,354,000 and payrolls of $302,000, and Duluth had 11 houses with receipts of $534,000 and payrolls of $131,000.

To Show 'We Live Again'

Samuel Goldwyn's "We Live Again," which co-stars Anna Sten and Fredric March and which United Artists will release, will be given a trade showing at the Astor Tuesday morning.

Roach to Coast Today

Hal Roach plans to fly to the coast today. He says this is pretty definite.

Mickey Six on Monday

Mickey Mouse will be six years old on Oct. 1.

Rapf, Jr., Producer

Like father, like son, a favorite adage, holds true in the case of Harry Rapf and his son, Maurice.

Having returned from Russia where he spent the summer looking over conditions, Maurice today returns to Dartmouth to complete his senior year.

Rapf's son has written two plays, produced another for the college and also has made a short called "Dartmouth Days."

Stuart Named for Columbia Ad Post

(Continued from page 1)

became general manager of the Hulsey Theatres and film exchanges. Stuart then joined Paramount and was made division manager of the circuit's houses in Texas, Arkansas and Oklahoma. For eight years he was Harold B. Franklin's assistant, and also had under his supervision theatres in Washington, Oregon and Montana.

For four and a half years he was general manager of the Poli circuit in New England. He resigned this post to join RKO and at one time was managing director of the entire circuit. He left RKO about two years ago and since has held an important post with Publix in Detroit. Some time ago he made a survey of Publix theatres in Dallas and other sections of the south for the trustees.

Circuits Against Higher Sign Cost

(Continued from page 1)

would consent to absorbing the additional cost in their agreements with the contractors.

The possibility of a strike of the sign writers was admitted by officials of the union yesterday in the event the contractors were unable to make further headway with the circuits or to absorb the increase themselves. The union expects a final report from the contractors within a week.

Denver's Holdovers Up to 13 for Year

(Continued from page 1)

tied by "Belle of the Nineties," now in its second week at the Denham.

The latest Mae West film holds the house record at the Denham for money, close to $16,500, but her previous film, "I'm No Angel," still holds the house record for number of patrons. Prices were boosted recently from 15c, 25c, 35c, to 25c, 35c and 50c.

Holdovers have been: "I'm No Angel," "Footlight Parade," "Dancing Lady," "Dinner at Eight," "Little Women," "House of Rothschild," "Viva Villa," "Dames," "Cleopatra," "Treasure Island," "Chained" and "Belle of the Nineties.'

Montague Flies East

Hollywood, Sept. 26.—Abe Montague, Columbia sales manager, is flying east.

Rapf to Help New Stars on M-G-M List

(Continued from page 1)

working on a story," Rapf stated. "We are looking for a suitable story for him. He may be placed in roles of the Lon Chaney type, and then again we may decide to star him in vehicles of the Emil Jannings variety. He is definitely a potential name on M-G-M's list."

Rapf said he came to New York to see his son, Maurice, who has just returned from Russia. He has been kept so busy conferring with home office executives he has had hardly a moment to himself.

In addition to producing eight features, Rapf is in complete charge of short subjects. As a result of conferences yesterday with Felix Feist, general sales manager, and Fred Quimby, short subject sales head, Rapf stated M-G-M will handle its shorts in a new way. Each subject will be given an exploitation campaign. He said all the company's shorts are being made with that idea in mind and tieups will be effected nationally on each.

Following "Wicked Woman," Rapf will produce "Night Is Young," an operetta by Sigmund Romberg and Otto Harbach with Evelyn Laye and Ramon Novarro in the top roles. This will be followed by "The Three Wise Guys," a story by Damon Runyon. After this will be "Mr. Glenn Cannon," which will star Wallace Beery. Next is the "Casino Murder Case" with William Powell and "Coming 'Round the Mountain."

Deviating from production, Rapf held that theatre business is improving marvelously all over the country.

He leaves for the coast this afternoon by plane.

Police Chiefs Hit Gangster Pictures

(Continued from page 1)

ridiculing churches, portraying gangsters and criminals as heroic and belittling the activities of police and prosecuting agencies.

Plans were considered for enlarging the organization's committee on press arrangements to include films. This committee is charged with the task of securing the cooperation of newspapers and other news agencies in playing down the romantic side of crime.

Art Cinema Will Be Dissolved Here Soon

(Continued from page 1)

New York, on Oct. 15 at noon for the purpose of approving and ratifying a resolution to dissolve.

Art Cinema is the company which financed the old Rudolph Valentino pictures, the original version of "Sorrel and Son," "Alibi," "Secrets," "Hallelujah, I'm a Bum" and "Rain."

"Cristo" Gets Big Start

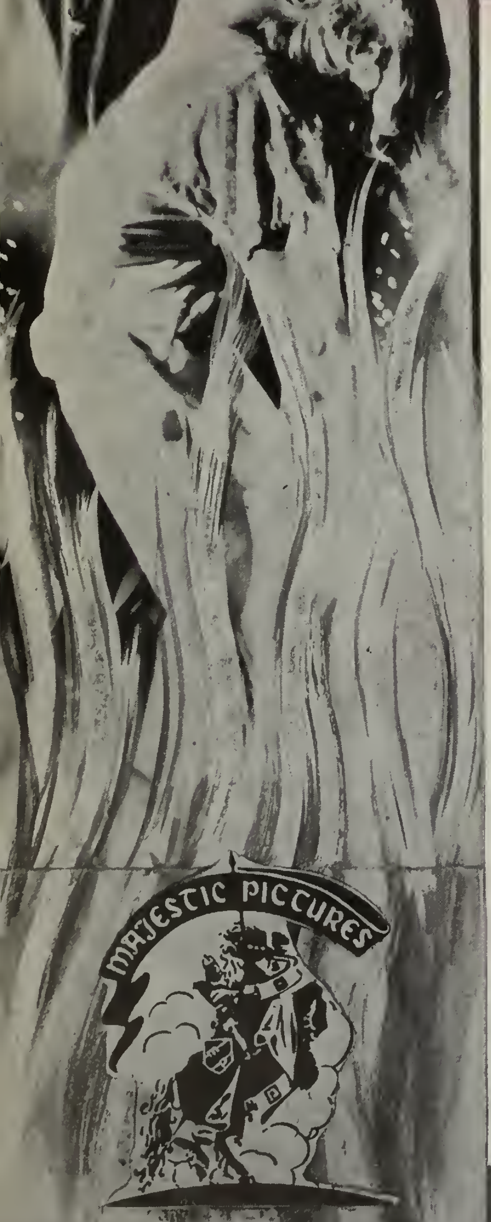
"The Count of Monte Cristo," opening at the Rivoli yesterday, drew 5,223 patrons up to 5 P. M., according to U. A. Indications were late last night that the first day's receipts would amount to approximately $6,000, according to the company.

"BARRETTS" BIG!

"Heigh ho the merry o'! We're dancing with joy. It's another 'Smilin' Thru'. Thank you **NORMA SHEARER FREDRIC MARCH CHARLES LAUGHTON** *for* 'BARRETTS *of* WIMPOLE ST.'"

with Maureen O'Sullivan, Katharine Alexander. *From* Rudolph Besier's *play.* *Directed by* SIDNEY FRANKLIN

"NIGHT ALARM" RINGS THE BELL



SHOWMEN! BOX OFFICE THRILLS MADE TO ORDER FOR YOU!

More Thrills Than the Public Gets From a Four Alarm Fire!

"Chock full of thrills."—VARIETY DAILY. "Packed with thrills."—BILLBOARD.

Players Risked Their Lives To Give You

ONE EXCITING NIGHT

OF SEETHING — SIZZLING — SPECTACULAR ENTERTAINMENT — HEROIC RESCUES — PERFECT ROMANCE — SCREAMING COMEDY — POLITICAL INTRIGUE — THRILLS AND CHILLS!

"Romance, drama, comedy, action."—M. P. HERALD.
"Exceptionally well produced."—BOX OFFICE.

EXPLOITATION—Possibilities unlimited. ANY fire thriller is a natural—"NIGHT ALARM"—greatest of all thrillers—gives you instant effective tie-ups with City Officials, Fire Chiefs, Civic Bodies—a Fire Prevention Week—Newspaper co-operation—Radio broadcasts—ALL in the big Press Book.

"Showmanship and entertainment . . . make contacts easily possible . . . stirring up more than ordinary public interest."—M. P. HERALD. "Genuine major class production."—SHOWMAN'S ROUND TABLE.

WISE *SHOWMEN* are Booking "NIGHT ALARM" *NOW!*

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MOTION PICTURE DAILY

Alert, Intelligent and Faithful Service to the Industry in All Branches

VOL. 36. NO. 75 NEW YORK, FRIDAY, SEPTEMBER 28, 1934 TEN CENTS

NRA Placed Under Board By President

Also Sets Up Industrial Emergency Committee

WASHINGTON, Sept. 27.—The revised NRA today was placed under the control of a board of five by President Roosevelt. The board consists of Clay Williams of the R. J. Reynolds Tobacco Co., North Carolina; A. D. Whiteside of Dun and Bradstreet, New York; Sidney Hillman and Leon C. Marshall, labor representatives, and Walton Hamilton, industrial adviser, with whom will sit, without vote, Blackwell Smith, legal

(*Continued on page* 7)

Max Reinhardt Is Signed by Warners

HOLLYWOOD, Sept. 27.—Max Reinhardt, European stage director, who has just created a sensation with his outdoor spectacle, "Midsummer Night's Dream," at the bowl, has

(*Continued on page* 15)

Scully Is Named to Head G-B in Boston

BOSTON, Sept. 27.—John Scully formerly with Fox, has been put in charge of Boston sales of Gaumont British by George W. Weeks, general sales manager. Ben Rogers and Myron Schulman will be members of the sales staff.

After making the appointments Weeks left for Philadelphia to line up his selling crew there.

Two Cups for Nizer

Louis Nizer's trip abroad was profitable in more ways than one. While going over on the *Ile de France*, Nizer won a silver cup when he chalked up high score in a ping pong contest. Coming back on the *Conte di Savoia*, he also won a ping pong game and walked off with another cup.

Customs officials yesterday declared that the *Ile de France* prize was worth more than the one awarded by the *Conte di Savoia*.

European Film Outlook Gaining, Says Giannini

Production and exhibition are picking up rapidly in England and are showing signs of improvement to a lesser degree in other European countries, declared Dr. A. H. Giannini, chairman of the executive committee of the Bank of America National Trust & Savings Ass'n., upon his return yesterday aboard the *Conte di Savoia*.

John W. Alicoate, publisher of the *Film Daily*, also a passenger on the liner, agreed with this view and said in England the gain is becoming a "big boom."

Louis Nizer, executive secretary of the Film Board of Trade, and Winfield Sheehan, vice-president in charge of production for Fox, were among the film notables on the ship. Sheehan had little to say about his

(*Continued on page* 10)

Ludington and Fiske to Meet 1st Div. Men

Nicholas Ludington and William M. L. Fiske, 3rd, new interests in First Division, will be introduced to branch mangers, salesmen and bookers at the company's first annual convention which opens today at the Park Central.

In addition to formally introducing these men, First Division forces will hear outlined new product and expansion plans. The company intends to establish itself in the west where it will purchase interests in exchanges

(*Continued on page* 10)

Brill in Charge of Sales for Principal

David Brill, formerly with Capital-Majestic, has been named general manager of Principal Film Exchange, Inc., by Sherman S. Krellberg, and Brill has named as his metropolitan sales staff Ben Levine, for the Brooklyn territory; Ben Schwartz, New York, and Harry Goldstone for Long Island and upstate. A New Jersey man will be picked shortly.

Krellberg has gone to the coast to start work on the first of eight features, "The Lost City."

ASCAP Unwavering On Its Tax Stand

The new music tax schedule proposed by A.S.C.A.P., which, according to exhibitor estimates, will increase theatre payments to the society from 300 to 1,000 per cent over the old rate of 10 cents per seat, becomes effective on Monday. The board of directors of A.S.C.A.P. met yesterday and voted neither a modification

(*Continued on page* 10)

Campi Ruling Required for Lease Battle

KANSAS CITY, Sept. 27. — On Campi's definition of what constitutes a member of the industry, in connection with the code provision relating to undue interference with the continued possession of a theatre, hinges the future of theatre operations in Jefferson City, Mo.

The precedent-setting ruling expected from Campi will determine a case certified to it by the local grievance board. The chief point for determination is whether Harry Sodini,

(*Continued on page* 7)

Police Chiefs Ask Film Cooperation

WASHINGTON, Sept. 27.—Cooperation of the industry in stamping out crime will be sought by the International Assn. of Police Chiefs under a resolution adopted at its annual convention today.

Today's action followed the sidetracking of the resolution offered yesterday, condemning the industry for its "glorification" of crime and commending the churches for their campaign for improvement. While a

(*Continued on page* 15)

Jersey Allied Dual Plan to Be Changed

Allied of New Jersey has dropped its plan to adopt a single feature policy in the entire northern New Jersey area and instead will try to get exhibitors in each of the individual territories to drop duals.

With 95 per cent of the territory signed, Allied failed to get 15 theatres

(*Continued on page* 10)

Deal for Katz To Join M-G-M Near Decision

Confer Today; May Be Aide to L. B. Mayer

Final action on a proposal by which Sam Katz would become executive assistant to Louis B. Mayer at the M-G-M studios is expected to be taken today at a conference between Nicholas M. Schenck and Katz.

Discussions on the proposal have been in progress for several weeks, it was stated yesterday at Schenck's office, and today's scheduled meeting is expected to be conclusive, it was said. If the negotiations are concluded satisfactorily, Katz will accompany Mayer to the coast to assume his new duties within two weeks. Mayer is scheduled to leave Europe

(*Continued on page* 10)

See Long Delay on Fox Theatres' Bid

A cash bid by creditors of Fox Theatres for the company's assets, which include all of the common stock of Fox Metropolitan Playhouses, is not believed to be possible in less than three months as a result of an order signed by Federal Judge Martin Manton requiring creditors who are petitioning for a reorganization of Fox Theatres to submit their claims to a special master for determination of their provability.

The petitioning creditors are represented by Charles H. Kelby who

(*Continued on page* 10)

No Federal Action Expected on Para.

No Federal action on the Paramount Broadway reorganization plan is expected as a result of the scrutiny given the plan this week by the Congressional committee investigating the protective committee set up to represent holders of defaulted mortgage bonds, it was indicated yesterday.

Full information regarding the

(*Continued on page* 10)

Turn Clocks Back

Daylight saving time will be ended tomorrow night. Clocks are turned back one hour at 2 A. M. Sunday.

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Schenck Visiting Mexico

HOLLYWOOD, Sept. 27.—Joseph M. Schenck and Douglas Fairbanks are flying to Mexico City, where they will be received by Abelardo Rodriguez, president of Mexico, on arrival. Schenck's mission, undertaken as official representative of the M. P. Producers' Ass'n, of which he formerly was president, has to do with American pictures in Mexico. Saturday evening he and the actor will be guests of honor at the opening of the Mexican National Theatre here. From there the two will fly to Yucatan, Havana and Florida. Their journey will end in New York.

Cummins Coming Home

Samuel Cummins, head of Eureka Prod., sales tomorrow from Southampton on the *Berengaria* after spending three months abroad. He is bringing with him the American rights to "Extase" and "Young Love," two European features.

Theatre Operators Here

Louis Dent, circuit operator in Denver, is in town. Likewise John and Barney Balaban from Chicago. Also E. V. Richards, head of the Saenger circuit, New Orleans.

Jacobs Back on Coast

HOLLYWOOD, Sept. 27. — Louis Jacobs is back from Arizona where he has been filming a story based on the lives of the Hopi Indians.

Purely Personal

RAY BOLTON has been appointed publicity and promotion director of the campaign of Joseph D. McGoldrick, independent candidate for comptroller in New York City.

FRED FLECK of the Radio studio staff, formerly an assistant director at the Paramount Long Island Studio, is in town doing Manhattan scenes for "Romance in Manhattan."

MRS. ELLEN D. HOPKINS, mother of MIRIAM HOPKINS, entertained a group of southerners at the Music Hall for the opening of "The Richest Girl in the World."

GUY KIBBEE gets into town today. He will spend a few days here before embarking on a personal appearance tour of Philadelphia, Washington and Chicago.

JACKIE COOPER will head the reception committee to welcome NOVA PILBEAM, 14-year-old Gaumont British star, when she arrives on the *Aquitania* today.

DASHIEL HAMMETT has sold his story, "On the Make," to Universal. It will probably be filmed under the title of "Mr. Dynamite."

LEONTINE SAGAN, director of "Maedchen in Uniform," will leave for the coast tomorrow to start work under her M-G-M contract.

NORTON RITCHEY has called off his trip to South America. He may decide to go later on.

MRS. HARRY REICHENBACH arrived on the *Conte di Savoia* yesterday.

JOE E. BROWN is on his way east for the world series.

JACK COSMAN is back from Europe.

JACKIE COOPER plans to make a series of personal appearances which will keep him away from the M-G-M studios until the first of the year. His next engagement is Loew's, Jersey City, a week from today.

NORMAN KRASKA, author of "Small Miracle," flew to the coast yesterday to begin adaptation on "The Woman Who Broke the Bank at Monte Carlo" for DARRYL ZANUCK.

RICHARD BONELLI is on his way east to carry out his contract with the Metropolitan Opera Co. He has just finished work in Paramount's "Enter Madame."

TONY GABLIK, art director at the Warner home office, is the father of a baby girl, an eight-pounder, who has been tagged SUZANNE EVE.

JACK ELLIS has written two parodies on "California, Here I Come," which will be a feature at the ROBERT SISK banquet tonight.

HAROLD LLOYD and MRS. LLOYD left for the coast yesterday. They came here recently for the opening of "The Cat's Paw."

MAURICE RAPF, son of HARRY, left for Dartmouth College yesterday. The M-G-M producer left by plane for the coast.

TOD BROWNING'S and GUY ENDORE'S "Vampires of Prague," an original mystery yarn, has been bought by M-G-M.

AARON SACKS, pioneer film executive, celebrated his 48th birthday at the Hotel Edison the other night with a dinner.

STUART ERWIN left for the coast last night on a hurried call from the M-G-M studios.

Opens Projection Room

William B. Gullette has opened a new projection room in the Mecca Building equipped with new high intensity arcs and "blended wide fidelity" sound.

Remodeling Houses

Loew's is remodeling the Victory, Burland and 42nd Street theatres.

Police Stop a Picket

An attempt by a picket for a sign painters' union to parade in front of the Criterion yesterday afternoon was short lived. A police sergeant, who was watching two Local 306 pickets, noticed the third about to join the parade when he ordered him to move on or drop the sign. The painters' picket folded his sandwich sign and walked away.

Most on Big Board Advance

	High	Low	Close	Net Change	Sales
Columbia Pictures, vtc	37¾	36⅞	37	+ ¼	1,200
Consolidated Film Industries	3⅝	3⅜	3½	+ ⅛	600
Consolidated Film Industries, pfd	14⅝	14¼	14¼	+ ⅛	1,400
Eastman Kodak	100	99½	100	+1	700
Fox Film "A"	13⅞	12½	13	+ ⅞	1,900
Loew's, Inc.	29¾	28½	29⅜	+ ⅞	6,300
Loew's, Inc., pfd	90¼	90¼	90¼	+ ¼	100
Paramount Publix	4¾	3⅞	4⅝	+ ½	42,100
Pathe Exchange	1⅞	1⅜	1⅜	+ ⅛	800
Pathe Exchange "A"	14¼	13½	13½	.....	1,500
RKO	2⅝	2¼	2⅝	+ ¼	7,600
Warner Bros.	5½	5	5¼	.....	9,100

Technicolor Off ⅛ on Curb

	High	Low	Close	Net Change	Sales
Technicolor	12⅞	12¾	12⅞	— ⅛	300
Trans Lux	2	2	2	.....	100

Most Bonds Register Big Gains

	High	Low	Close	Net Change	Sales
General Theatre Equipment 6s '40	7¾	7	7¾	+ ¾	12
General Theatre Equipment 6s '40, ctf	7¾	7	7⅛	+ ⅝	21
Keith B. F. 6s '46	62⅜	62¼	62⅜	+3½	4
Loew's 6s '41, ww deb rights	102	101¾	101¾	— ¼	5
Paramount Broadway 5½s '51	43	39¾	43	+5⅞	4
Paramount F. L. 6s '47	60½	56⅛	59	+2	210
Paramount Publix 5½s '50	61	57¼	59¼	+2¼	200
Pathe 7s '37, ww	98	97	98	+1	3
RKO 6s '41, pp	31⅜	30⅝	31⅜	+1⅜	4
Warner Bros. 6s '39, wd	61	60	61	+1	47

"Peck's Bad Boy" Is Shown to Reviewers

Trade and daily paper reviewers and a number of persons identified with cultural and educational organizations were guests of Fox and Sol Lesser last night at a private showing of "Peck's Bad Boy," Lesser's second feature for Fox release.

Dinner preceded the showing of the picture in the Sert Room of the Waldorf Astoria. Among the guests were Thomas Meighan, Jackie Cooper and his mother, Mrs. Charles Gigelow, George Jessel, Norma Talmadge, Ed Sullivan, Arthur Lee, Carlos Israels, Dr. A. H. Giannini, Harry Buxbaum, E. C. Grainger; George O'Brien and his wife, Marguerite Churchill, Harry Arthur, Eddie Cline and his wife, Irving Lesser and Howard S. Cullman.

"Peck's Bad Boy" was reviewed in the MOTION PICTURE DAILY on Aug. 28 and described as a "real hit."

Eddie Cline Likes Comedies, He Says

Eddie Cline, who has just completed "Peck's Bad Boy," prefers to direct comedy dramas, he stated yesterday. He said it's a lot of fun making this type of picture. He doesn't like heavy dramas.

Cline sails for London tomorrow with Sol Lesser and George O'Brien to make exteriors on "The Cowboy Millionaire." He said he has about 40 scenes to shoot in about 10 days and then will return to Hollywood to complete the western.

Educ'l. Day at Ampa

It was Educational Day at the AMPA yesterday with plenty of talent on hand. Among those who spoke and entertained were E. W. Hammons, president of Educational; Al Christie, Sol Lesser, Eddie Cline, Miss King, of York and King, John Meyers, Ernest Truex, Jackie Cooper, Janet Rex, Wynne Gibson, Ferde Grofe, Marion Martin, Tom Howard and George Shelton, Harry Gribbon, the Five Cabin Kids, the Modern Mountaineers and Sylvia Froos.

Hammons stated that facilities for producing in the east are most favorable and talent is very plentiful. Ed Finney was chairman.

Film Timing for Track

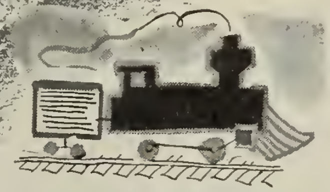
A film timing system, on the general principle of that used in track meets, will be employed for the first time in horse racing when the fall season gets under way at the track of the Los Angeles Turf Club at Santa Anita, 35 miles from Los Angeles, it was revealed here yesterday with the announcement of the signing of a contract between Erpi and Charles H. Strub, vice-president and general manager of the club, of which Hal Roach is president. A partial demonstration was given yesterday at the Erpi offices.

Set Radio Chinese Deal

A deal for the distribution in China of all the RKO Radio new season product has been closed with Peacock M. P. Co., Inc., of Shanghai, Ned Depinet, Radio Pictures head, said yesterday. The deal was closed by Telfair Knight, who is now in New York from Shanghai. This is the fourth consecutive season that Peacock has handled Radio distribution in China.

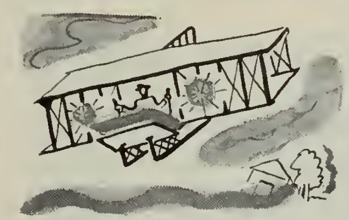
You may love antiques!

...but PROFITS come only from PROGRESS!



Interesting in a museum

BUT this is the way to travel today



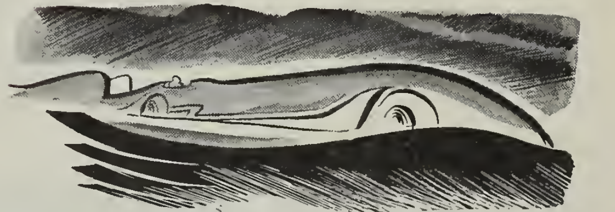
Hot stuff in 1905

BUT you use this for speedy mail service today

Looks romantic in pictures

BUT this takes you to Europe a whole lot quicker

Better than the old gray mare



BUT these are the kind folks buy today

You sneaked into a theatre like this

BUT crowds proudly go to this theatre today

So...

FOX REVOLUTIONIZES
so that you may

Bringing you box-office names...introducing daring

the news of the day. Dramatized by Laurence

fame as a newspaper, stage and screen writer.

commentators . . . favorite of millions. A subjec

. . . an *entertainment* important to your theatr

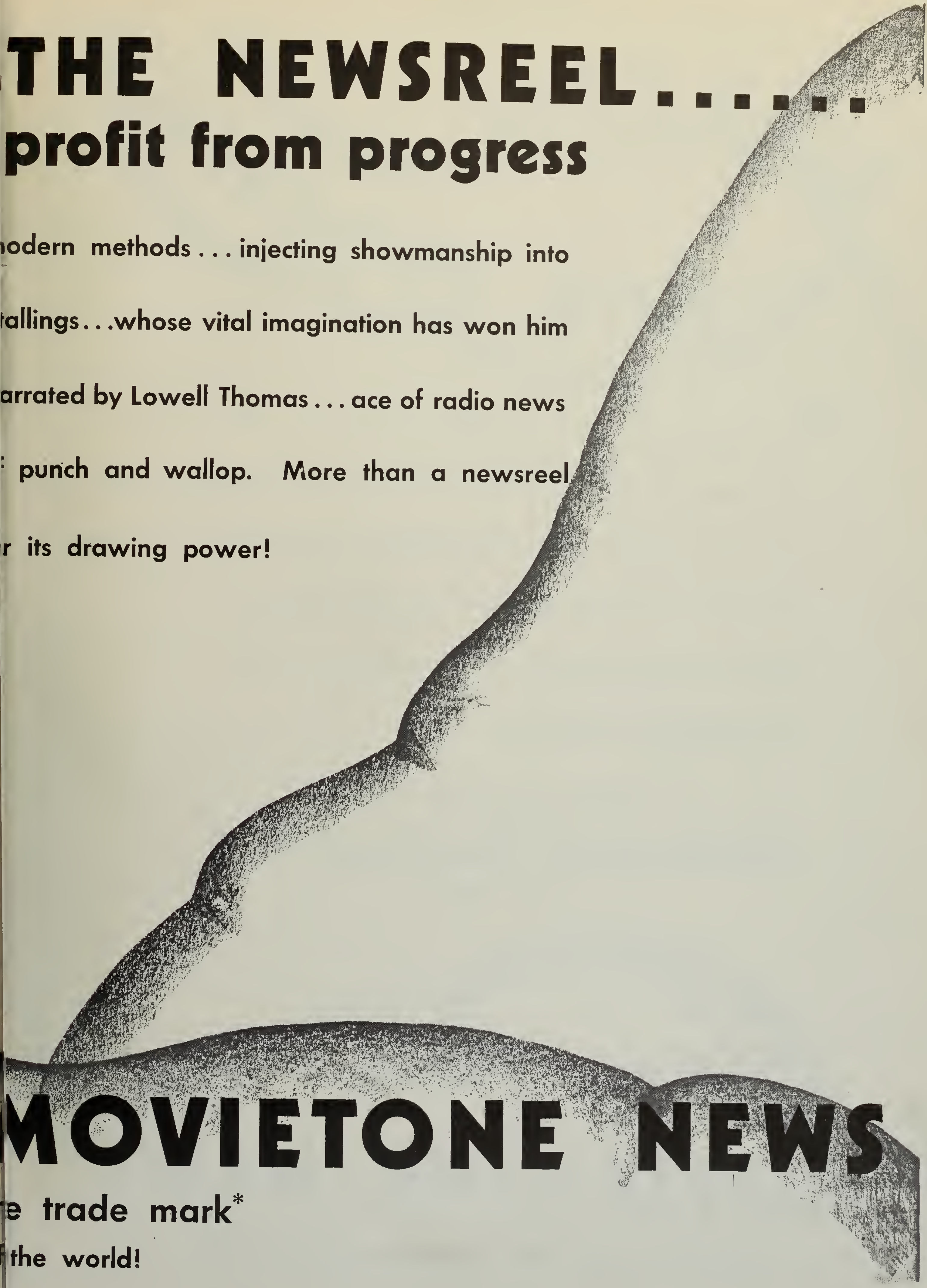
LAURENCE STALLINGS

LOWELL THOMAS

The *New* FOX

Everything new bu

*and that's the envy



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profit from progress

odern methods . . . injecting showmanship into

tallings . . . whose vital imagination has won him

arrated by Lowell Thomas . . . ace of radio news

punch and wallop. More than a newsreel

r its drawing power!

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- Give your patrons the *modern* newsreel . . . the newsreel of TODAY! Keep abreast of the times with the newsreel of personalities . . . of showmanship . . . of entertainment . . . of drawing power. Get the *only* newsreel with Movietone's EXCLUSIVE WORLD COVERAGE.

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Released October 2nd

Vol. 8, No. 5

New FOX MOVIETONE NEWS

Produced by Truman Talley **Edited by Laurence Stallings**

NRA Placed Under Board By President

(*Continued from page* 1)

adviser, and Leon Henderson, economics adviser.

At the same time the President set up an industrial emergency committee, consisting of Secretary of the Interior Ickes, Secretary of Labor Perkins, the chairman of the National Industrial Recovery Board (to be selected), Relief Administrator Hopkins, Secretary of Agriculture Wallace, and Donald R. Richberg. The duty of this committee will be to make recommendations with respect, among other things, to labor disputes and industrial recovery and to determine the general policies of the administration of the Industrial Recovery Act.

Cincy Board Hands Down Three Rulings

Cincinnati, Sept. 27. — Three decisions have been rendered by the grievance board. A cease and desist order was issued to the Favorite, Covington, O., on complaint of the Piqua, at Piqua, O., charging reduction in admissions through two-for-one coupons.

On complaint of the Family, at Hazard, Ky., the Virginia, same city, was ordered to stop admissions lower than the minimum specified in contract, and to discontinue two-for-one coupons.

In the postponed case of Paramount vs. the Lyric, Lawrenceburg, Ky., involving transfer of the theatre, respondent claimed contract contained clause which rendered it null and void in case of transfer, and as the transfer had been effected, the contract was automatically cancelled. The board ruled, however, that no bona fide transfer had been made, and the contract, therefore, was still in effect.

Strand Clearance In Yonkers Is Cut

The New York clearance board yesterday handed down a decision declaring seven days' clearance for the Strand, Yonkers, over the Hastings, Hastings-on-the-Hudson, is excessive, following complaint by the Hastings. The board held, however, that the Yonkers house was entitled to prior runs.

Yesterday Campi postponed until the next meeting the complaint filed by the Forum and Fleetwood against Loew's Victory. A decision on the Forum case was handed down, but Code Authority was stumped when it tried to decide the Fleetwood issue and then called a rehearing.

Report N. O. Zoning Revision Necessary

New Orleans, Sept. 27.—Complete revision of the clearance and zoning schedule is reported necessary as a result of the new set of principles adopted by Campi. The old schedule, recently returned, is now being studied.

Cleveland Cut Rate Is Ordered Stopped

Cleveland, Sept. 27.—The Family has been ordered to stop five-cent children's Saturday matinees by the grievance board. Although the pictures exhibited at a nickel were spot booked without any contract, the board nevertheless ruled that the standard exhibition contract is a basis of fair practice. The complaint was filed by the Woodland Centre Amusement Co., operating the Haltnorth Theatre.

The board dismissed the overbuying complaint of M. J. Glick, Lincoln Theatre, Dennison, against E. E. Bair, State and Ohio Theatres, Uhrichsville. In a second complaint against the Lincoln, charging reduced admissions in violation of contracts, Bair was ordered to end 10-cent admissions until 7:30 P. M. when exhibiting product from distributors whose contracts call for a 15-cents minimum after 6 P. M.

This disposes of all claims now on file.

The clearance and zoning board meets tomorrow to review the Cleveland and Toledo clearance schedules which have been returned by Campi for revamping.

Coast Houses Agree To Code Board Order

Los Angeles, Sept. 27. — Feldstein & Dietrich, operating the San Fernando, have decided not to take a chance on losing their film service. They have notified the grievance board they will comply with the cease and desist order on bank nights. As a result, the board has withdrawn its order for stoppage of film service.

Ben Berinstein, operating the Tivoli in the Central Ave. colored section, has been ordered to stop advance advertising on pictures showing at the Lincoln, operated by Jules Wolf.

The American Amusement Co., operating Oxnard theatres, is facing suspension of film service unless bank nights are ended. Representatives of the company were before the board to answer the charge.

Minneapolis Board Ends 11 Cut Rates

Minneapolis, Sept. 27. — Eleven theatres here have been ordered to end reduced admissions as a result of charges brought by Henry Green, exhibitor, before the grievance board.

Harry Dickerman of North Minneapolis and Harry Charon, Columbia Heights, were the only defendants to deny the charge. Verbal fireworks developed during the hearing of these cases.

Dickerman says he will file an appeal with Campi.

Agency Problems to Be Heard on Oct. 17

Washington, Sept. 27.—Recommendations of the agency committee will be considered at a hearing to be held at the Hotel Willard here, Oct. 17, it was stated today by Division Administrator Sol A. Rosenblatt.

No information regarding the recommendations was available today, the report of the committee being still in the hands of the printers. Rosenblatt will preside over the hearing.

New K. C. Clearance Submitted to Campi

Kansas City, Sept. 27.—A draft of the revised clearance schedule for Kansas City, as completed by the local clearance and zoning board, has been submitted to Campi for approval. No information regarding the revisions will be given out until it has been returned with Campi's okay.

If Code Authority sees fit to recommend further changes, the local board will again go into session, and the procedure of submitting proposed final drafts to the authority will be repeated until a satisfactory setup is reached. The subsequent procedure is that objections will go direct to Campi instead of to the local board.

The board goes into session next Monday to begin revamping schedules adopted for St. Joseph, Mo., and Wichita and Atchison, Kan. The same procedure will maintain in these instances.

The revised Kansas City schedule is the third draft since the board machinery began operating last May. The first was scrapped following numerous objections.

Ask Court to Force Cincy Union Scales

Cincinnati, Sept. 27.—Injunction suits charging violation of the code were filed against eight local theatres in Common Pleas Court yesterday by Louis J. Schneider, prosecuting attorney, acting under direction of Attorney General John W. Bricker, at Columbus.

The action recites that operators at the houses in question are being paid less than the minimum scale provided by the code, with result "that labor conditions in the motion picture industry have been thrown into chaos." The suits are an aftermath of investigations by John F. Toedtman, deputy administrator of the Ohio Recovery Administration, on complaint of M. P. Operators' Union, Local 327.

The houses involved are: Class A, Monta Vista, union scale $62.50 per week; Class B, Western Plaza and Hollywood, $50; Class C, Winton Place, Broadway, Clifton, Emery and Pendrola, $45. All are neighborhood or suburban spots.

Musicians Picket Two Phila. Houses

Philadelphia, Sept. 27.—Local 77, musicians' union, began picketing the Stanley and Stanton, Stanley-Warner downtown houses here, today in an effort to force the employment of musicians.

The union declares that all S-W houses will be picketed later. Romeo Cella, union president, stated that Warners own nine-tenths of the local theatres and employ no musicians. He pointed out that other theatres in the city are cooperating with the union by enlarging their orchestras. The Earle, he said, has increased its orchestra by eight men and the Fox will raise its orchestra list from 18 to 40 men for a special concert stage show.

Open Schenectady Plaza

Schenectady, Sept. 27.—The Plaza will be reopened Oct. 1, according to William W. Farley, vice-president of Schenectady Theatres Corp., and the State will be switched to a second run.

Campi Ruling Required for Lease Battle

(*Continued from page* 1)

a former southern Illinois theatre operator, is engaged in the business because he leased the Jefferson and Miller theatres from W. H. Mueller before Dubinsky Bros. could consummate a purchase transaction with the owner, and then proceeded to negotiate a deal with Dubinsky whereby the latter would either sell the unexpired lease or take over Sodini's.

At the grievance hearing, Dubinsky charged Sodini was a "trader," and testimony brought out Sodini offered Dubinsky $50,000 for the unexpired term of the current lease and, according to Dubinsky, offered to assign his future lease to the present operators at a bonus of $20,000 for the two houses.

The grievance board, in passing the case to Campi for determination, decided that in order to find for Dubinsky, it was bound to find two elements existing; first, that Sodini and Mueller are engaged in the industry; second, that their actions were for the designed purpose of preventing consummation of the transaction between Dubinsky and Mueller.

While the board was impressed with the fact that Sodini, a St. Louisan, has had no connection with the industry for more than fifteen years prior to the time of the negotiations in question, it indicated that his recent activities in Jefferson City and with Dubinsky in Kansas City might be construed as placing him in the business. With regard to Mueller, the board held the fact he operated the houses before leasing them to Dubinsky nine years ago and the fact he has been a party to the recent negotiations would make him a de facto member of the industry.

Buffalo's Clearance Calls for 17 Zones

Buffalo, Sept. 27.—Buffalo would be divided into 17 zones in addition to its first run theatres under the zoning and clearance schedule prepared by the local board. A hearing will be held before Campi Oct. 9.

Niagara Falls theatres no longer would be able to show films ahead of Buffalo first runs, but could show day and date. Seven days' clearance over East Aurora would be allowed. Other suburban towns would be subject to the same clearance as Buffalo second run houses—30 days, and 42 days on holdover films.

Mrs. Herrick Named Regional Labor Head

Mrs. Elinore M. Herrick, vice-chairman of the Regional Labor Board here, has been named regional director. Her territory will be expanded to include Northern New Jersey, Northeastern New York and Connecticut as far east as New Haven.

Francis P. Godell of New Jersey is the new associate regional director. Ben Golden, executive secretary, becomes chief examiner.

THEIR MUSIC MAKES LOVE... AND THEIR LOVE IS LIKE MUSIC!

Every heart in every audience will beat faster when the rollicking vagabond thousands of "Caravan" make merry with full-throated song . . . make love in tempting, seductive melody. Every pulse will beat time to the enchanting tunes of these happy wanderers as they gather wine-filled grapes to tantalizing rhythm.

Your audiences will thrill to the gayety of these joyous songs:

"HAPPY, I AM HAPPY"
"HA-CHA-CHA"
"WINE SONG"

FOX

AN
ERIK CHARELL
PRODUCTION

CARAVAN

CHARLES BOYER
LORETTA YOUNG
JEAN PARKER
PHILLIPS HOLMES
LOUISE FAZENDA
EUGENE PALLETTE
C. AUBREY SMITH
CHARLEY GRAPEWIN
NOAH BEERY

Executive Producer, Robert T. Kane. Directed by Erik Charell. Screen Play and Dialogue, Samson Raphaelson. Continuity by Robert Liebmann. From a story by Melchior Lengyel. Music by Werner Richard Heymann. Lyrics by Gus Kahn.

playing
RADIO CITY MUSIC HALL
now

Ludington and Fiske to Meet 1st Div. Men

(Continued from page 1)

now owned by independents. This follows along the lines of the company's invasion in Pittsburgh when First Division bought out Abe Schnitzer and made him branch manager. Schnitzer has since resigned.

Although no new treasurer has been selected, the board of directors now includes Harry H. Thomas, chairman; Ludington, Fiske and Robert Benjamin.

Among those attending the four-day session will be: J. L. Rose, Edward Hochstim, Peggy Hawkins, Albany; Elmer Lux, M. Brady, M. Schoenfeld, Minna Gold, Buffalo; M. A. Lebensburger, M. Chapman, Mae Vincent, Cleveland; Sam Rosen, Mike Levenson, John Schaffer, E. V. Segall, Moe Sherman, Philadelphia; Joseph Skirboll, David Selznick, E. Skirboll, M. Wheeler, Pittsburgh; Manager LaSance, M. Burns, M. McCabe, Cincinnati; Carl Crawford, Robert Wolf, Mayer Gruber, Mike Thomas, Nellie McLaughlin, Boston; Harry Brown, Peter Rosian, Miss Cunningham, Washington; Morris Epstein, Dick Perry, William Benson, Al Glaubinger Sydney Kulick, Mollie B. Shear, Pearl Goldstein, Myron Starr, Joseph Joel, Elias Barkey, New York; in addition to home office representatives including Charles Rosenzweig, general sales manager; Al Friedlander, Otto Lederer and others.

The session today opens at 9:30 A.M.

N. O. Neighborhoods Arguing with Union

New Orleans, Sept. 27.—First runs are not expected to be affected by the trouble now brewing between the operators' union and neighborhood and suburban houses. All Saenger houses, Loew's State and the Orpheum have contracts, and it is understood the St. Charles will sign one soon.

Subsequent runs are insisting that the wage cuts in effect last year be continued.

ASCAP Unwavering On Its Tax Stand

(Continued from page 1)

of the rates nor a postponement of the effective date.

Exhibitors will rely for relief on the success of the Federal anti-trust suit seeking the dissolution of A.S.C.A.P. and other music licensing groups. Federal officials believe the suit can be brought to trial late in October.

Jersey Allied Dual Plan to Be Changed

(Continued from page 1)

to agree to eliminate duals. Each territory will be canvassed again to drop twin bills.

The first of monthly meetings in Newark was held last night by the organization in the form of a beefsteak at the Newark Athletic Club.

European Film Outlook Gaining, Says Giannini

(Continued from page 1)

trip, except that he had signed a new 24-year-old Scandinavian actress, Tutta Rolf.

Dr. Giannini was optimistic over the outlook abroad.

While England is making rapid headway in production, it has a long way to go yet to beat America, he said. English producers are taking their production problems seriously and they have the sponsorship of the government, which Giannini deems wise and prudent.

He stated that English producers have their own form of censorship and with no official body stops objectionable films. "We can still send over a few men to show them a few things," he said.

Improvement Due to Us

Most of the improvements in English production are due to American stars, producers, directors and writers. Giannini believes British producers have a lot to learn yet.

The Bank of America executive deplored the mediocrity of dubbed prints of American productions in Italy and France. He said he didn't know what was responsible for it, but if it is the printing it should be improved to the standards of prints used in this country. He held that the prints are so poor the projection doesn't do justice to the original version. He added that if this were remedied American pictures would do more business in these two countries.

He also stated that theatre business in England is very good. France has had a dull season, Giannini declared, but is showing signs of improvement.

Louis Nizer, executive secretary of the New York Film Board of Trade and film attorney, was on the same boat. He spent five weeks visiting all the European capitals and studying the film situation. He was impressed with the judicial systems in every country he visited. Nizer also stated that the boom in English production is taking the same course American producers took some years ago.

Alicoate on English Situation

Alicoate was more emphatic in discussing the English situation than was Dr. Giannini.

"Motion picture business is having a big boom in Great Britain," he said, "while on the continent the trend continues to be nationalistic with most of the countries making pictures primarily for their own consumption.

"England is going through somewhat the same expansion trials as the United States went through," Alicoate continued. "There is a tendency toward overproduction and excess theatre building, while negative costs are gradually mounting.

"Theatre attendance is good in Great Britain, but on the continent it is off from 25 to 40 per cent. American films are maintaining their leadership in foreign markets."

Robert Edmond Jones, scenic designer for Radio, and Mrs. Jones were on the same ship. They leave immediately for Hollywood. Other passengers were Mrs. Lucinda Reichenbach, Giovanni Martinelli and Phil Baker.

See Long Delay on Fox Theatres' Bid

(Continued from page 1)

stated at a creditors' hearing before Judge Manton last week that he was organizing a Fox Theatres creditors' committee which would be prepared to make a cash bid for **the company's** assets within a brief time. Judge Manton's order requiring a test of the claims is regarded as making such a bid impossible for at least three months, the time in which it would require a special master to examine the claimants and make a report to the court.

The delay in submitting the Fox Theatres' bid, however, is regarded by creditors of Fox Met as increasing the chances of reorganizing the latter company more expeditiously than would be possible if a new creditors' group were to enter the Fox Met reorganization proceedings at this late date.

No Federal Action Expected on Para.

(Continued from page 1)

Paramount Broadway plan was furnished the Congressional committee by Arthur A. Ballantine of counsel for the Paramount Publix trustees. The committee was also advised that efforts are being made to meet all reasonable objections to the plan made by dissenting bondholders.

The Congressional committee, of which Representative A. J. Sabath of Illinois is chairman, adjourned its hearings here for the time being after scoring many of the defaulted mortgage bond committees as "rackets." The New York Bar Ass'n. was also charged with lack of cooperation with the Congressional committee. The association had offered the services of James N. Rosenberg of Rosenberg, Goldmark & Colin, but these were declined by the committee because of the law firm's association with Paramount Publix bankruptcy affairs and those of other concerns under scrutiny.

McLean to New York

Hollywood, Sept. 27.—Douglas MacLean goes to New York this week to discuss with Maxwell Anderson the picturization of the Stark Young story, "So Red the Rose."

The yarn is being lined up as a vehicle for Pauline Lord.

Charles Miller Passes

New Albany, Ind., Sept. 27.—Charles Miller, former operator of the Grand and the Elba at New Albany, Ind., is dead at his home here as a result of a heart ailment.

Re-Sign Mary Astor

Hollywood, Sept. 27.—Mary Astor had her option renewed by Warners on completing "I'm a Thief." The actress' next assignment is indefinite.

Deal for Katz To Join M-G-M Near Decision

(Continued from page 1)

on the *Paris* tomorrow and will arrive here late next week.

It is understood that the post under discussion would bring Katz into business management of the M-G-M studio, in addition to his duties as a general assistant to Mayer. In this event, it is anticipated that Eddie Mannix, studio general manager, might relinquish that post and take charge of an M-G-M production unit.

Since his resignation from Paramount Publix late in 1932, Katz has been inactive except for an interest in Monarch Theatres, a mid-western circuit operated by David Chatkin and Milton Feld, former Publix executives. For approximately one year prior to his resignation from Paramount Katz made the company's production affairs his chief concern, spending more than half his time at the studios.

Cullman Denies He Will Join Gaumont

Reports that Howard S. Cullman, trustee of the Roxy, would join Gaumont British in an executive post were denied yesterday both by Cullman and Jeffrey Bernerd.

Cullman said he has never held a conference with a G-B representative or discussed joining the company, Bernerd stated as far as he knew there has never been any talks of Cullman becoming affiliated with G-B.

Schlaifer Also to Head N. Y. Exchange

L. J. Schlaifer will be head of the Gaumont British exchange in New York as well as sales manager of the company, Jeffrey Bernerd stated yesterday. This arrangement, it was stated, would work out better than putting in another man to supervise New York salesmen.

Smith to Seek Deal Here

London, Sept. 27.—Sam Smith of British Lion sails tomorrow for New York and will confer with Paramount executives on a deal for taking over distribution of "Gay Love," with Sophie Tucker, in the United States. Upon his arrivel in New York, Smith also will go to Toronto to meet N. L. Nathanson of Regal Films, which distributes British Lion in Canada.

Giannini to Attend Col. Board Meeting

Dr. A. H. Giannini, chairman of the general executive committee of the Bank of America, National Trust & Savings Ass'n., will attend the Columbia board of directors meeting tomorrow. He returned yesterday from a vacation abroad.

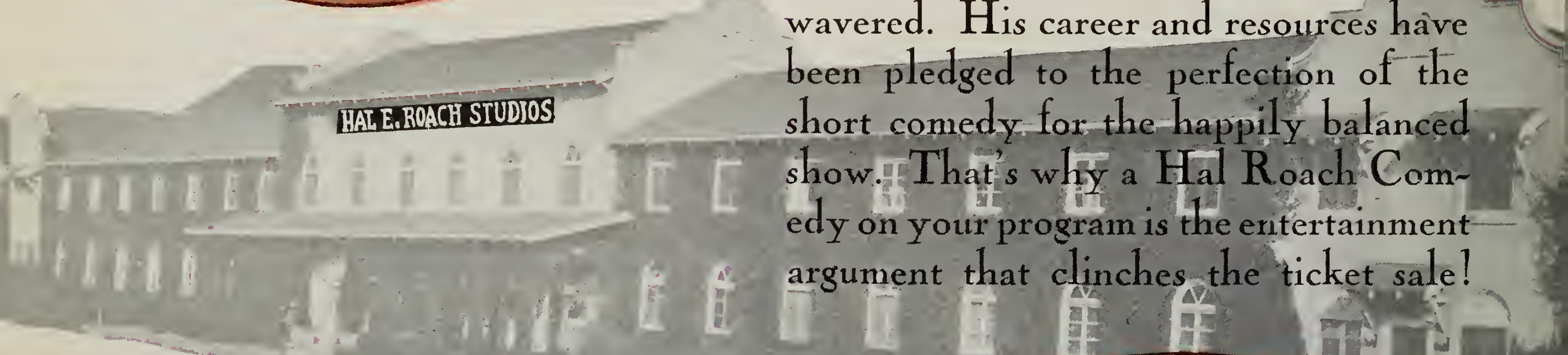
Giannini is a member of the Columbia board.

HAL
ROACH

**On Short Subjects
the name Hal Roach
is like 14 Karat
on gold**

Hal ROACH Quality

Hats off to Hal Roach! This is his 21st year as Short Comedy leader. He has stayed on top because he *believes* that quality and star value are as important to short subjects as to features. Hal Roach never hesitated when others wavered. His career and resources have been pledged to the perfection of the short comedy for the happily balanced show. That's why a Hal Roach Comedy on your program is the entertainment argument that clinches the ticket sale!



In the whole industry the ONLY GREAT STUDIO devoted entirely to the SHORT COMEDY!

Above is a photo of the only big scale studio in films which makes the Short Comedy its exclusive business! No equipment too ambitious for the Hal Roach Studio... its resources and personnel are FEATURE STRENGTH just like the splendid entertainments that come from it to your screen!

STAN LAUREL
OLIVER HARDY

This teamfull of merriment is an American institution! The *only* big time feature stars who also come to you in short comedies!

THELMA TODD
PATSY KELLY

Exhibitors tell us they have become the female Laurel-Hardy team! Your public will like these gay, giddy gals more than ever in their new routine.

CHARLIE CHASE

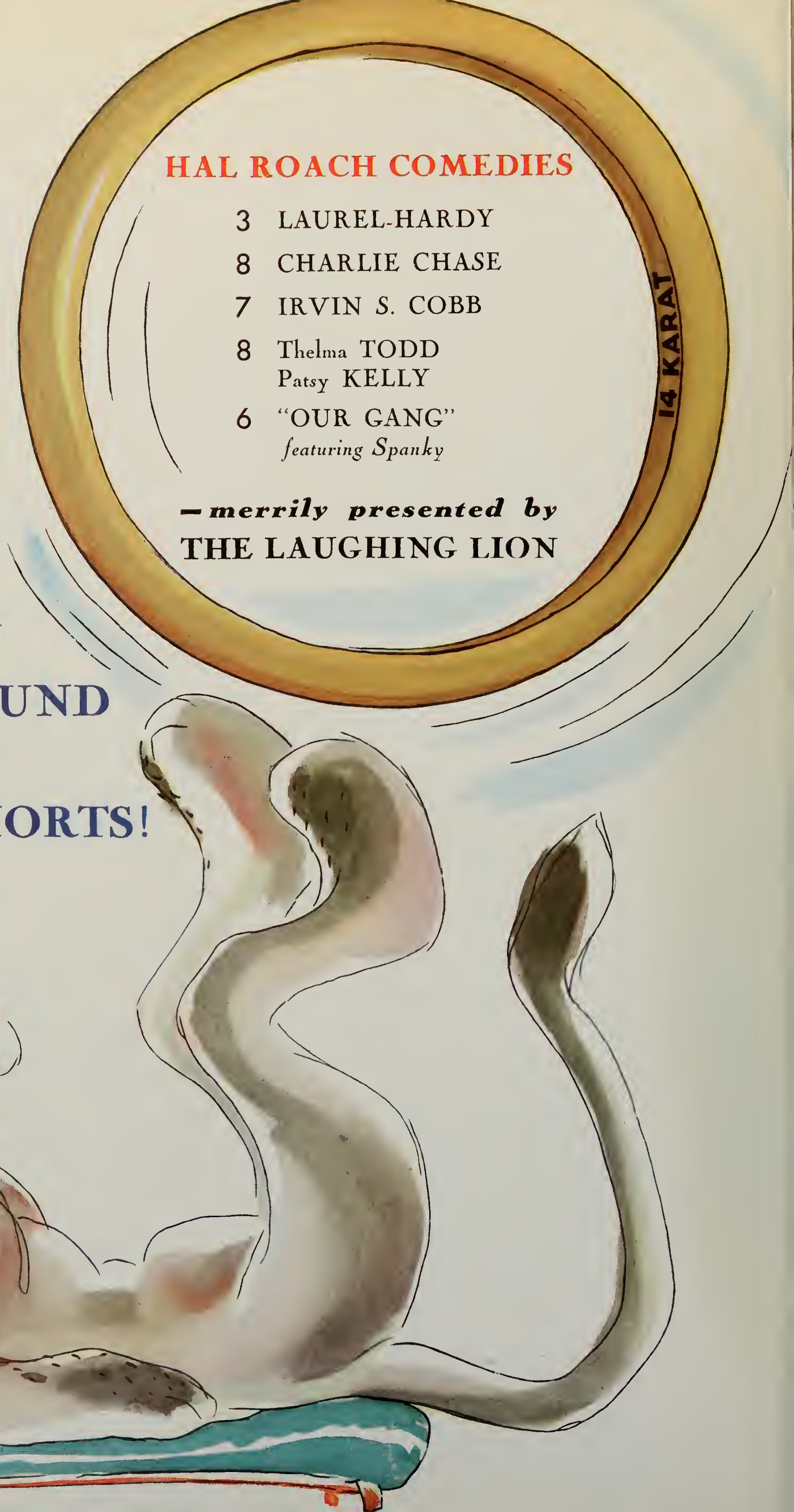
A welcome addition to any program, because the Charlie Chase comedy has long proved itself a consistently likable fun film. An established marquee name!

IRVIN S. COBB

The first Irvin S. Cobb comedies have definitely confirmed the showmanship inspiration of Hal Roach. The chuckling personality of America's idol is on the screen!

OUR GANG

It has been an achievement in picture making to successfully present these juvenile stars during so many years. The public loves them, and Spanky and his Gang go merrily on!



HAL ROACH COMEDIES

- 3 LAUREL-HARDY
- 8 CHARLIE CHASE
- 7 IRVIN S. COBB
- 8 Thelma TODD
  Patsy KELLY
- 6 "OUR GANG"
  featuring Spanky

—merrily presented by

THE LAUGHING LION

THEY PLAY RINGS AROUND ALL OTHER COMEDY SHORTS!

Police Chiefs Ask Film Cooperation

(*Continued from page 1*)

small group in the organization pressed the resolution, cooler heads on the resolution committee felt that the police should not get mixed up with the churches and should develop good feeling, rather than ill, among the producers.

The resolution passed today, which asserts that "through the instrumentalty of the motion picture the youth of the country may be taught a proper respect for law and order," directs the president of the association to appoint a committee of two, one of its members to be himself, "to confer with executives of the motion picture industry to see what steps may be taken to utilize the educational facilities of the motion picture along those lines."

James E. Davis, chief of the Los Angeles police, was chosen to serve on the committee with Peter J. Siccardi of Bergen County, N. J., president of the association.

Chicago Legion Has 50,000 in a Parade

CHICAGO, Sept. 27.—Fifty thousand students in parochial schools and colleges marched down Michigan Boulevard today in the first public demonstration of the Catholic Legion of Decency film drive.

Some of the banners carried read: "Films we must see, but clean they must be."

"Decency the death knell of depravity."

"Chicago youth shall boycott evil films."

Most Rev. Bernard J. Sheil, auxiliary bishop of Chicago and chairman of the steering committee of the Chicago Council of the Legion of Decency, will speak over WJZ tonight at 7:45 o'clock. His subject will be "Youth and the Motion Picture." This is the second of a series of four broadcasts over a national network by the Legion.

Film Debate Set at Methodist Session

CARTHAGE, Mo., Sept. 27.—A debate on films will feature the annual Missouri conference of the Methodist Episcopal Church, which opens here Wednesday. Leslie J. Lyons, Kansas City lawyer and president of the layman's conference, will speak for a "cleaner" screen, while Howard E. Jameyson, Fox Midwest district manager at Wichita, Kan., will present the theatre man's viewpoint.

After each has finished speaking an open discussion will be led by R. Carter Tucker, another Kansas City lawyer. Approximately 500 ministers and a like number of laymen are expected to attend. Bishop F. W. McConnell of New York, a conference speaker, is expected to hear the film discussion.

Form Film Committee

OMAHA, Sept. 27. — The Omaha Council of Churches has organized a better films committee. Material for sermons on films is being sent to pastors here by the Federal Council of Churches.

Just Practicing

Hollywood, Sept. 27.—Zeppo Marx, when he first branched out as a ten percenter, rushed in to see Carl Laemmle, Jr., raving about a girl who had the "soul of Garbo, the lure of West, the wistfulness of Gaynor, the glamour of Swanson, and the charm of Dietrich, and only eighteen."

"Where is this girl," shouted Junior.

"No place," shrieked Zeppo. "I'm just practicing to be an agent."

Presbytery Praises Hays' Film Cleanup

TERRE HAUTE, Ind., Sept. 27.—At the closing session of the Vincennes Presbytery here, the Sullivan Presbyterian Church, of which Will H. Hays is an elder, commended Hays for his efforts to eliminate objectionable films. The Presbytery also adopted resolutions calling on the Sullivan church to inquire of Hays "concerning his powers in the industry and his exercise of the same for its purification."

The action followed a request from the San Francisco Presbytery that Hays be asked if he cannot "bring about better moral conditions" in the industry.

Woman Speaker Asks Family Show Drive

MILWAUKEE, Sept. 27.—"Make the public motion picture conscious; urge families to attend movies in groups; arrange week-end "family" bookings and discourage children from attending mid-week movies, and many of the so-called movie problems will be solved," Mrs. Charles Holton, state chairman of motion pictures for the Illinois Federation of Women's clubs, and first vice-president of the Better Films Committee of Chicago and Cook County, declared in addressing the Milwaukee Better Films Council at the Y.M.C.A. here.

Praise was given the Legion of Decency.

Coast Bishop Tells Pope of Film Gains

ROME, Sept. 27.—Bishop John J. Cantwell of Los Angeles told the press here yesterday after an interview with Pope Pius that he had assured His Holiness there had been an improvement in films since the start of the Legion of Decency campaign. He said the Pope "welcomed" the change.

Reopen Topeka Orpheum

TOPEKA, Sept. 27.—The Fox Orpheum reopened Sunday after being closed for the summer. H. D. Carroll, manager, was transferred from the Gem and Best, now in charge of B. M. Montee, former Fox manager in Pittsburg, Kan.

M-G-M Holds Myrna Loy

HOLLYWOOD, Sept. 27.—M-G-M has given Myrna Loy a new long-term contract calling for a raise in salary. The actress is currently appearing in "Evelyn Prentice."

Hungary Heat Sets Back Fall Pictures

By ENDRE HEVESI

BUDAPEST, Sept. 27.—The heat wave that prevailed here at the end of August forced the new season into a late start, with "Storm at Daybreak" the first American film to be shown. The picture was transferred to the Casino after three weeks at the Royal Apollo. "I Am Suzanne" had a two-week run at the Forum, while "Fox Follies of 1934" got good notices at the Decsi.

"Condemned" ran only a week at the Palace, and "White Cargo," synchronized in Hungarian, for a fortnight. "Cradle Song" flopped at the Radius. "Bolero" had a 12 days' run at the Decsi and Kamara simultaneously, "Beloved" kept afloat for a fortnight at the Casino, but "Mandalay" had only a week at the Radius. "Little Man, What Now?" was very well received by the more discriminating at the Forum. "Life of Vergie Winters" was taken off after one week.

Much is expected from Russian pictures, which will be shown in Hungary for the first time this season, since Soviet pictures have been barred until now. Under the new commercial treaty with the Soviets, Russian pictures are admitted. Six are on schedule at various theatres

Unions' Restraint Is Made Permanent

ST. JOSEPH, Mo., Sept. 27.—What is believed the first permanent injunction against theatre crafts since the enactment of the Norris labor law has been issued by Judge Merrill E. Otis in Federal district court here in favor of Dubinsky Bros. The order makes permanent the temporary restrainer granted the Dubinskys last March, and is effective Oct. 17.

Attorneys for the unions have not decided whether they will appeal, as they have taken up the St. Joseph situation with the NRA compliance board.

The temporary order followed a series of disturbances and bombing of the Electric and Missouri here. Ed Dubinsky is employing members of an "independent" operators' union. Under a ruling of the Regional Labor Board at St. Louis he is not obliged to reinstate employes whom the Federal court found involved in violence.

The order was made permanent against Operators' Local 559. and Stage Hands' Union 43, both affiliated with the I.A.T.S.E. Under the Norris act, the order does not restrain peaceful picketing.

Fox Signs Mary Brian

HOLLYWOOD, Sept. 27.—Fox has signed Mary Brian to replace Claire Trevor in the cast of Shirley Temple's next starring picture, "Bright Eyes." Miss Trevor was unable to take the role because of her work in "24 Hours a Day."

Plan K. C. Colored House

KANSAS CITY, Sept. 27.—A 1,200-seat house for colored will be built in Kansas City, Kan., by George Ellis, who operates the Regal and Princess, also colored houses. The site on North 5th St. was purchased last week. Completion is expected by spring.

Max Reinhardt Is Signed by Warners

(*Continued from page 1*)

been signed to a long term contract by Warners.

His first under the new contract will be a film version of the Shakespearean bowl spectacle, and he is expected to start work about Nov. 15.

Commenting on the fact that for 15 years Reinhardt had refused to connect himself with films, Jack Warner, vice-president in charge of production, said: "We believe there is a definite place on the screen for Shakespearean plays, and we consider the addition of Prof. Reinhardt to our production forces a distinct achievement. We are confident that Prof. Reinhardt will attract not only the regular patrons, but millions of new ones."

Reinhardt's work will not be confined to Shakespearean productions.

Statements commenting on the signing of Reinhardt were issued through Warners today by John Balaban. E. V. Richards, Spyros Skouras, Ike Libson and Will H. Hays.

Hays said: "His genius should bring outstanding appreciation to the screen."

Los Angeles Public Library Rates Films

LOS ANGELES, Sept. 27.—The public library has established an information bureau for classification of films suitable for adults, children and family audiences. The classifications are made by women's club leaders who have been reviewing films for the past two years.

Reviewers are representatives of the Daughters of the American Revolution, National Society of N. E. Women, General Federation of Women's Clubs of California, Congress of Parents and Teachers, Inc., National Council of Jewish Women, the Women's University Club, United Church Brotherhood and the National Council of Catholic Women.

The bureau will inform inquirers as to whether pictures are tragedy, comedy, farce or fantasy, or whether they adhere to traditional moral codes. It will not attempt to pass on the artistic or entertainment value of pictures. Information will be given out by phone.

Sells York, Neb., Houses

YORK, Neb., Sept. 27.—Charles McCloud has sold his two theatres, the Sun and York, to Central States Theatres Corp. This gives Central States 13 houses in the Omaha trade territory.

Hall M. C. at Wichita

WICHITA, Sept. 27.—The Fox Orpheum, originally a vaudeville house, returned to stage shows this week with James Hall as m. c. The policy will be vaudeville and pictures.

"U" Switches a Title

HOLLYWOOD, Sept. 27.—The title of Universal's "What Ladies Dream" has been changed to "One Exciting Adventure." The film top spots Binnie Barnes and Neil Hamilton.

Washington's Top "Cristo" And "Dames"

WASHINGTON, Sept. 27—"The Count of Monte Cristo" and "Dames" were outstanding hits here last week. The former topped par by $5,600 on a gross of $17,000 at RKO Keith's and was a big surprise. The latter was good for $21,700, over normal by $4,100, with a stage show, at the Earle.

Business was generally good. The Rialto had a fine $4,000 on "There's Always Tomorrow." "Murder on the Diamond" grabbed $21,500 at Loew's Fox, and "She Loves Me Not" took $4,900.

Total first run business was $84,500. Axerage is $74,900.

Estimated takings, exclusive of tax:

Week Ending Sept. 19:

"THERE'S ALWAYS TOMORROW" (Univ.)

RIALTO—(1,864), 25c-75c, 7 days. **Gross:** $4,000. (Average, $3,700)

Week Ending Sept. 20:

"DAMES" (Warners)

EARLE—(2,218), 25c-77c, 7 days. Stage: Rimacs & Havana Orchestra, Edgar Bergen, The Bredwins, Gladys Ahearn & Brother Den. **Gross:** $21,700. (Average, $17,600)

"SPRINGTIME FOR HENRY" (Fox)

LOEW'S COLUMBIA—(1,264), 25c-40c, 7 days. **Gross:** $2,400. (Average, $3,100)

"MURDER ON THE DIAMOND" (M-G-M)

LOEW'S FOX—(3,434), 25c-66c, 7 days. Stage: "Happiness Follies of 1934" with Ted Lewis and Orchestra. **Gross:** $21,500. (Average, $20,500)

"THE AFFAIRS OF CELLINI" (U. A.)

LOEW'S PALACE—(2,370), 35c-75c, 7 days. **Gross:** $13,000. (Average, $14,500)

"SHE LOVES ME NOT" (Para.)

METROPOLITAN—(1,591), 25c-40c, 7 days (return engagement). **Gross:** $4,900. (Average, $4,100)

"THE COUNT OF MONTE CRISTO" (U. A.)

RKO-KEITH'S—(1,836), 25c-55c, 7 days. **Gross:** $17,000. (Average, $11,400)

"Limberlost" Gets $8,200, Portland

PORTLAND,. Sept. 27.—"The Girl of the "Limberlost" stood them up at Parker's Broadway and proved one of the best attractions of the year. It was held a second week. The take was $8,200, or $3,200 over average.

"Dames" at Hamrick's Music Box in its third week was up to normal, and moved to Hamrick's Blue Mouse for a fourth week.

"The Last Gentleman" at United Artists secured a take of $6,000, or $1,000 over normal.

Pantages was reopened under name Hamrick's New Orpheum Theatre today.

Total first run business was $24,200. Average is $20,000.

Estimated takings for the week ending Sept. 21:

"THE GIRL OF THE LIMBERLOST" (Monogram)

BROADWAY—(1,912), 25c-35c-40c, 7 days. **Gross:** $8,200. (Average, $5,000)

"DAMES" (Warners)

HAMRICK'S MUSIC BOX—(2,000), 25c-35c-40c, 7 days, 3d week. **Gross:** $3,000. (Average, $3,000)

"OF HUMAN BONDAGE"

HAMRICK'S ORIENTAL—(2,040), 7 days. **Gross:** $2,000. (Average, $2,000)

"THE SCARLET EMPRESS" (Para.)
"CRIME WITHOUT PASSION" (Para.)

PARAMOUNT—(3,008), 25c-35c-40c, 7 days. **Gross:** $5,000. (Average, $5,000)

"THE LAST GENTLEMAN" (U. A.)

UNITED ARTISTS—(945), 25c-35c-40c, 7 days. **Gross:** $6,000. (Average, $5,000)

"Barretts" Pittsburgh's Hit At $19,000, Over by $7,000

PITTSBURGH, Sept. 27.—With one exception, the Fulton, business was up all over town last week and par fell by the wayside all along the line.

The big noise was "The Barretts of Wimpole Street," which drew a nice carriage trade to the Penn all week and gave the house a fine $19,000, exactly $7,000 above average. The Stanley, too, jumped with "She Loves Me Not," getting $12,000, while the Alvin had no kicks coming with "The Cat's Paw," holding for nine days and gathering a profitable $8,500.

At the Warner, "Crime Without Passion," on a double bill with "We're Rich Again," got a lot of attention and is given credit for $5,500, which is quite good in the face of so much competition. At the Fulton, "Paris Interlude" and "Straight Is the Way" each ran three days and the two of them were good for only $3,200.

Total grosses in six first- runs were $55,000. Average is $42,000.

Estimated takings for the week ending Sept. 20:

"THE CAT'S PAW" (Fox)

ALVIN—(2,000), 25c-40c, 9 days. **Gross:** $8,500. (Average, for six days, $5,000)

"STRAIGHT IS THE WAY" (M-G-M)
"PARIS INTERLUDE" (M-G-M)

FULTON—(1,750), 15c-40c, each picture three days. **Gross:** $3,200. (Average, $4,500)

"BARRETTS OF WIMPOLE STREET" (M-G-M)

PENN—(3,300), 25c-50c, 6 days. **Gross:** $19,000. (Average, $12,000)

"THE DEFENSE RESTS" (Col.)

PITT—(1,600), 15c-35c, 6 days, seven acts of vaudeville. **Gross:** $6,800. (Average, $6,500)

"SHE LOVES ME NOT" (Para.)

STANLEY—(3,600), 25c-50c, 6 days. **Gross:** $12,000. (Average, $9,000)

"CRIME WITHOUT PASSION" (Para.)
"WE'RE RICH AGAIN" (Radio)

WARNER—(2,000), 25c-40c, 6 days. **Gross:** $5,500. (Average, $5,000)

"One Night," At $13,000, K.C. Record

KANSAS CITY, Sept. 27.—"One Night of Love" zoomed the Tower's take to a record-breaking $13,000, giving the house a fine start on its new policy of product of major calibre. "Count of Monte Cristo" took second honors at the Midland, with $9,800. The Uptown turned in a big $6,700 on "The Cat's Paw" and held the picture. "Scarlet Empress," in six days at the Newman, bettered average at $7,000, while the Mainstreet's "British Agent" went to $6,000.

Total first run business was $42,500.

Estimated takings:

Week Ending Sept. 19:

"SCARLET EMPRESS" (Para.)

NEWMAN—(1,800), 25c-40c, 6 days, plus Saturday midnight show. **Gross:** $7,000.

Week Ending Sept. 20:

"BRITISH AGENT" (F. N.)

MAINSTREET—(3,100), 25c-40c, 7 days, plus Saturday midnight show. **Gross:** $6,000. (Including Ross-McLarnin fight pictures last 2 days.)

"COUNT OF MONTE CRISTO" (U. A.)

MIDLAND—(4,000), 25c-40c, 7 days, plus Saturday midnight show. **Gross:** $9,800.

"ONE NIGHT OF LOVE" (Col.)

TOWER—(2,200), 25c-35c, 7 days, plus Saturday midnight show. Stage: "Varieties of 1934," with augmented vaudeville featuring Naro-Lockford & Co., Lucille & Bud, Lester Harding, Gene Sheldon with Loretta Fischer, Paul Kirkland & Co., Clarence Stroud, m. c. **Gross:** $13,000. (First week of new price schedule; previous average, at 25 cents, $6,500.)

Week Ending Sept. 21:

"THE CAT'S PAW" (Fox)

UPTOWN—(2,000), 25c-40c, 7 days. **Gross:** $6,700.

Sidetrack Columbus Tax

COLUMBUS, Sept. 27.—The special tax, which it was planned to levy against local theatres, will not be put into effect, according to Mayor Worley. Instead, the City Council will place a $850,000 deficiency bond issue on the November ballot.

The change in plans is believed to have been largely influenced by pressure brought to bear by exhibitors.

"Chained" Is Fair; Seattle Grosses Down

SEATTLE, Sept. 27.—Grosses were weak all along the line. "Chained" made the best comparative showing with $6,800 at the Fifth Avenue, but this was under par by $200.

"Dames" fell off to $2,800 in its second week at the Blue Mouse. "Scarlet Empress" took a fair $5,300 at the Paramount.

Total first run business was $26,800. Average is $31,000.

Estimated takings for the week ending Sept. 22:

"DAMES" (Warners)

BLUE MOUSE—(950), 25c-40c-55c, 7 days, 2nd week of extended run from Music Hall. **Gross:** $2,800. (Average, $4,000)

"CHAINED" (M-G-M

FIFTH AVENUE—(2,450), 25c-40c-55c, 7 days. **Gross:** $6,800. (Average, $7,000)

"HELL CAT" (Col.)
"BEYOND THE LAW" (Col.)

LIBERTY—(1,800), 10c-15c-25c, 7 days. **Gross:** $3,200. (Average, $4,000)

"THERE'S ALWAYS TOMORROW" (Univ.)
"MIDNIGHT ALIBI" (F. N.)

MUSIC BOX—(950), 25c-35c-50c, 7 days. **Gross:** $2,900. (Average, $3,500)

"BRITISH AGENT" (Radio)

MUSIC HALL—(2,275), 25c-40c-55c, 7 days. **Gross:** $5,800. (Average, $6,500)

"THE SCARLET EMPRESS" (Para.)

PARAMOUNT—(3,050), 25c-35c, 7 days. Stage: Ralph Britt's Band. **Gross:** $5,300. (Average, $6,000)

Col. Changes Two Titles

HOLLYWOOD, Sept. 27.—Columbia has changed the title of "Criminal Within" to "Fugitive Lady."

The studio has also changed the title of the current Harry Langdon comedy from, "The Barrister," to "Counsel on De Fence."

Ban Hauptmann Film

BERLIN, Sept. 27.—Export of newsreel shots of Bruno Richard Hauptmann's birthplace, Kamenz, has been banned by the Ministry of Propaganda.

"You Belong" $23,000 Top, Philadelphia

PHILADELPHIA, Sept. 27.—Philly's biggest week in months came last week as the result of some good bookings. Dick Powell's personal appearance at the Earle, plus "You Belong to Me" on the screen tilted the gross to $23,000, highest figure since the Mary Pickford engagement.

A surprise hit of the week was "The Count of Monte Cristo," which quickly developed capacity business at the Aldine and clicked through its first week with a big $13,000. "Chained" at the Boyd grabbed $15,000 and was held for a second week—first holdover there in a long time.

Nothing suffered very drastically in town, though "British Agent" and "Down to Their Last Yacht" did not hold up to average.

Total grosses were $85,300. Average is $66,900.

Estimated takings for the week ending Sept. 20:

"TREASURE ISLAND" (M-G-M) (Second Run)

ARCADIA—(600), 25c-40c-50c, 6 days. **Gross:** $2,500. (Average, $2,400)

"COUNT OF MONTE CRISTO" (U. A.)

ALDINE—(1,200), 40c-55c-65c, 6 days. **Gross:** $13,000. (Average, $7,000)

"CHAINED" (U. A.)

BOYD—(2,400), 40c-55c-65c, 6 days. **Gross:** $15,000. (Average, $12,000)

"YOU BELONG TO ME" (Para.)

EARLE—(2,000), 40c-55c-65c, 6 days. Stage: Dick Powell, Albertina Rasch Girls, Collins and Peterson and Ray and Sunshine. **Gross:** $23,000. (Average, $12,000)

"SERVANTS' ENTRANCE" (Fox) (Second Week)

FOX—(3,000), 30c-40c-65c, 6 days. Stage: Will Osborne and Orchestra. **Gross:** $13,500. (Average, $12,000)

"DOWN TO THEIR LAST YACHT" (Radio)

KARLTON—(1,000), 30c-40c-50c, 6 days. **Gross:** $2,500. (Average, $3,500)

"BRITISH AGENT" (Warners)

STANLEY—(3,700), 40c-55c-65c, 6 days. **Gross:** $10,000. (Average, $12,000)

"CRIME WITHOUT PASSION" (Para.)

STANTON—(1,700), 30c-40c-55c, 6 days. **Gross:** $5,800. (Average, $6,000)

Jones Heads Warner Club

ATLANTA, Sept. 27.—George Jones, office manager of the local Warner exchange, is the new president of the Warner Club, social organization of the Warnerites. Bowling and basketball teams will be entered in local leagues this winter by the club.

Max Young Is Gaining

CANTON, O., Sept. 27.—Max Young, head of the Young & Reinhart Co., operating the State, Mozart and McKinley, who has been ill several weeks, is slightly improved, but still unable to look after his theatre interests.

Bernard Jacon Celebrates

Bernard Jacon, manager of the Ritz East 180th St., celebrated his birthday and his 13th anniversary in the show business this week with a party at King Yen's restaurant in the Bronx.

"Ziegfeld" Worth $5,000

The title "Ziegfeld Follies" has been valued at $5,000 by Mayor Robert Smith of White Plains, special referee for the bankrupt estate of Florenz Ziegfeld. Billie Burke has offered that sum for right to the name.

B'way Strong Despite Huge Moore Takes

That $103,793 which "One Night of Love" took in its second week at the Music Hall overshadowed everything along Broadway last week. Some of the others looked small by comparison, but business was good nevertheless.

In its second week at the Rivoli "Affairs of Cellini" grabbed $26,000. "The Fountain," also a holdover, took $10,000 at the Palace; "She Loves Me Not" at the Paramount had $35,000 in its second seven days, but "Charlie Chan in London," the fourth holdover, took only $9,000.

"The Scarlet Empress" stirred very little excitement at the Capitol, the take being only $37,460.

Estimated takings:

Week Ending Sept. 18:

"AFFAIRS OF CELLINI" (U. A.)
RIVOLI—(2,300), 40c-99c, 2nd week, 7 days. **Gross:** $26,000.

Week Ending Sept. 19:

"ONE NIGHT OF LOVE" (Col.)
RADIO CITY MUSIC HALL—(5,945), 35c-$1.65, 2nd week, 7 days. Stage show. **Gross:** $103,793.

Week Ending Sept. 20:

"SCARLET EMPRESS" (Para.)
CAPITOL—(4,700), 35c-$1.65, 7 days. Stage: Fokine Ballet. **Gross:** $37,460.

"THE FOUNTAIN" (Radio)
"ROSS-McLARNIN FIGHT PICTURES" (Oliver)
PALACE—(2,500), 25c-75c, 2nd week, 7 days. Vaudeville. **Gross:** $10,000.

"SHE LOVES ME NOT" (Para.)
PARAMOUNT—(3,700). 35c-99c, 2nd week, 7 days. **Gross:** $35,000.

"THE HUMAN SIDE" (Univ.)
ROXY—(6,200), 25c-55c, 7 days. Stage show. **Gross:** $31.800.

"DESIRABLE" (Warners)
STRAND—(2,000), 25c-55c, 6 days. **Gross:** $14,580.

Week Ending Sept. 24:

"CHARLIE CHAN IN LONDON" (Fox)
MAYFAIR—(2,300). 35c-65c, 2nd week, 7 days. **Gross:** $9,000.

"MILLION DOLLAR RANSOM" (Univ.)
RIALTO—(2,300), 25c-65c, 7 days. Stage: George 'Sparks' Rogers, radio operator, Morro Castle. **Gross:** $12,000.

Mae West Gets Top Indianapolis Take

INDIANAPOLIS, Sept. 27—Mae West's popularity is undimmed here. "Belle of the Nineties" was the outstanding draw of the week, the $5,000 take at the Circle being $1,000 up, and away ahead of any other first run on a comparative basis.

"Dames" took $6,500. "Death on the Diamond" was a par draw at $4,500 in the Palace.

Total first run business was $23.500. Average is $24,000.

Estimated takings for the week ending Sept. 22:

"SERVANTS' ENTRANCE" (Fox)
APOLLO—(1,171), 25c-40c, 7 days. **Gross:** $2,500. (Average, $2,500)

"BELLE OF THE NINETIES" (Para.)
CIRCLE—(2,638), 25c-40c, 2nd week in city. First week at the Indiana. **Gross:** $5,000. (Average, $4,000)

"DAMES" (Warners)
INDIANA—(3,133), 25c-40c, 7 days. **Gross:** $6,500. (Average, $6,000)

"JANE EYRE" (Monogram)
LYRIC—(1,896), 25c-40c, 7 days. Vaudeville. **Gross:** $5,000. (Average, $7,000)

"DEATH ON THE DIAMOND" (M-G-M)
PALACE—(2,431), 25c-40c, 7 days. **Gross:** $4,500. (Average, $4,500)

Hollywood Personals

Hollywood, Sept. 27.—Irving Cummings brought Jesse Lasky's production, "White Parade," under the line in 27 days at Fox. . . . Zasu Pitts signed for "Repeal" at M-G-M. . . . . Mae Marsh and Henry B. Walthall, who appeared together in "Birth of a Nation," are together again in "Bachelor of Arts" at Fox. . . . Pat Farr gets the second lead in "Heldorado" at Fox. . . . The Irving Thalbergs the only picture people present at Sam Goldwyn's private preview of "We Live Again." . . .Clarence Brown killed two rattlesnakes on the grounds of his home in Hollywood Hills. . . . Douglas Shearer flew his plane 12 miles out to sea over the boat which held Miss Shearer, returning from Australia. . . . Mady Christians is rehearsing two songs for "Wicked Woman" at M-G-M. . . . Ernst Lubitsch accompanied Mae West to Reinhardt's production of "Midsummer Night's Dream" recently.

"Belle" Sets $27,675 Pace On the Coast

LOS ANGELES, Sept. 27.—"Belle of the Nineties" knocked all expectations for the well known loop here at the Paramount last week. It was a box-office riot from the opening day with the take soaring $9,675 over normal to $27,675.

In the face of this terrific competition "Chained" topped par by $3,000 for a gross of $17,000 at Loew's State, and "Bulldog Drummond Strikes Back" garnered a good $10,000 at United Artists. Other spots felt the pinch.

Total first run business was $95,475. Average is $69,200 without the United Artists.

Estimated takings for the week ending Sept. 26:

"CHAINED" (M-G-M)
LOEW'S STATE—(2,413), 30c-55c, 7 days. **Gross:** $17,000. (Average, $14,000)

"BELLE OF THE NINETIES" (Para.)
PARAMOUNT—(3,595), 30c-55c, 7 days. Stage: Al Lyons and his Ambassadors, F. & M. revue. **Gross:** $27,675. (Average, $18,000)

"RICHEST GIRL IN THE WORLD" (Radio)
RKO—(2,700), 25c-65c, 7 days. **Gross:** $6,000. (Average, $8,000)

"BULLDOG DRUMMOND STRIKES BACK" (U. A.)
UNITED ARTISTS—(2,100), 30c-55c, 7 days. **Gross:** $10,000.

"RICHEST GIRL IN THE WORLD" (Radio)
WARNER BROS. (Hollywood)—(3,000), 25c-65c, 7 days. **Gross:** $11,000. (Average, $14,000)

"THE DRAGON MURDER CASE" (War.)
WARNER BROS. (Downtown)—(3,400), 25c-40c, 7 days. McLarnin-Ross fight pictures. **Gross:** $9.000. (Average, $12,000.)

'GIFT OF GAB" (Univ.)
PANTAGES—(3,000), 25c-40c, 7 days. **Gross:** $4.800. (Average, $3,200)

Allied to Meet Oct. 3-4

MILWAUKEE, Sept. 27.—Allied is calling a statewide exhibitors business meeting to be held here Oct. 3 and 4. The gathering represents a postponement of the previously scheduled Sept. 26 and 27 meeting and will be followed by a state convention early this winter, if the members so decide. The place of the meeting is still to be decided by the committee on Milwaukee affairs.

Strayer to Invincible

HOLLYWOOD, Sept. 27.—Maury M. Cohen, head of Invincible Pictures, has signed Frank Strayer to direct on the current program.

"Dames" Big Draw in Two Boston Spots

BOSTON, Sept. 27.—Boston's grosses showed a steady gain last week with an unusually popular selection of films playing at the first run houses.

"Dames," heading the bills at the Fenway and Paramount, with "The Defense Rests" as the companion picture, pushed the former to $10,500 and the latter to $10,000.

"British Agent" scored $31,000 at Metropolitan with Morton Downey in person. Both RKO houses gained, "A Girl of the Limberlost," plus the new policy of vaudeville, which succeeds double bills, carried the Boston $1,000 above par to $17,000, while "Count of Monte Cristo" at Keith's was up $1,500 to $17,500.

Total first run business was $103,000. Average is $94,000.

Estimated takings for the week ending Sept. 20:

"GIRL OF THE LIMBERLOST" (Monogram)
BOSTON—(2,900), 25c-50c, 7 days. Vaude. **Gross:** $17,000. (Average, $16,000.)

"DAMES" (Warners)
"THE DEFENSE RESTS" (Col.)
FENWAY—(1,800), 30c-50c, 7 days. **Gross:** $10,500. (Average, $9,000.)

"COUNT OF MONTE CRISTO" (U. A.)
KEITH'S—(3,500), 30c-65c, 7 days. **Gross:** $17,500. (Average, $16,000.)

"ONE NIGHT OF LOVE" (Col.)
LOEW'S STATE—(3,700), 35c-50c, 7 days. **Gross:** $17,000. (Average, $16,000.)

"BRITISH AGENT" (F. N.)
METROPOLITAN—(4,350), 30c-65c, 7 days. Morton Downey and Fashion Revue. **Gross:** $31,000. (Average, $28,000.)

"DAMES" (Warners)
"THE DEFENSE RESTS" (Col.)
PARAMOUNT—(1,800), 30c-50c, 7 days. **Gross:** $10,000. (Average, $9,000.)

Tennis Star Gets Offer

LOS ANGELES, Sept. 27.—Frederick Perry, world's No. 1 tennis player, is understood to have been offered a $100,000 contract for a series of shorts on tennis.

Stetson Goes to Coast

SALT LAKE CITY, Sept. 27.—Albert Stetson, F. & M. representative here, has been transferred to Los Angeles to take charge of a theatre.

Velez to Do "Marcus"

LONDON, Sept. 27—Lupe Velez has been engaged to do "The Morals of Marcus" for Olympic at the Twickenham Studios.

"Desirable," Show $28,200 Detroit Wow

DETROIT, Sept. 27.—With several policy changes going into effect among downtown houses, surprises developed at the box-office. "Desirable," with a stage show headed by the Mills Brothers, was outstanding at the Michigan, the take going to $28,200. This tops average by $8,200.

"The Count of Monte Cristo" amassed $14,408 at the United Artists. The first dual bill at the Adams under the booking deal with the Fox, "Whom the Gods Destroy" and "The Lady Is Willing," reached $6,800. This is considered very good for this house. "One More River" was strong at the Fox with $16,500.

"Chained," moved over to the Broadway-Capitol from the United Artists for another week, had a low $4,100.

Total first run grosses were $79,800. Average is $75,000.

Estimated takings for the week ending Sept. 20:

"WHOM THE GODS DESTROY" (Col.)
"THE LADY IS WILLING" (Col.)
ADAMS—(1,770), 10c-25c-40c, 7 days. **Gross:** $6,800. (Average, $5,000.)

"CHAINED" (M-G-M)
BROADWAY-CAPITOL—(3,449), 15c-40c, 7 days. **Gross:** $4,100. (Average, $10,000.)

"GIRL FROM MISSOURI" (M-G-M) (Second Run)
FISHER—(2,975), 10c-30c-40, 7 days. Stage: Daphne Pollard, the Radio Rubes, Balabanow 5, Witey Roberts. **Gross:** $5,100. (Average, $10,000.)

"ONE MORE RIVER" (Univ.)
FOX—(5,100), 15c-65c, tax included, 7 days. Stage: Sibyl Bowan heading a six-act vaude bill. **Gross:** $16,500. (Average, $15,000.)

"DESIRABLE" (Warners)
MICHIGAN—(4,100), 15c-65c, tax included, 7 days. Stage: Four Mills Bros. in person, plus the Gertrude Hoffman Girls, Al Norman, Kirk & Lawrence and other acts. **Gross:** $28.200. (Average, $20,000.)

"GIRL FROM MISSOURI" (M-G-M)
"BULLDOG DRUMMOND STRIKES BACK" (U. A.) (2nd Run)
STATE—(3,000), 10c-35c, 7 days. **Gross:** $4,700. (Average, $5.000.)

"COUNT OF MONTE CRISTO" (U. A.)
UNITED ARTISTS—(2,070), 25c-50c, 7 days. **Gross:** $14,400. (Average, $10,000.)

"She Was a Lady" Best in Oklahoma

OKLAHOMA CITY, Sept. 27.—First runs here went into a slump last week, with "She Was a Lady" the only attraction downtown to reach par. The $2,300 take for four days was $300 better than a normal week's average. "Wild Gold" on the other three days was good for $800.

"Last Gentleman," "British Agent" and "One More River" failed to draw the customers.

Total first run business was $12,200. Average is $13,500.

Estimated takings for the week ending Sept. 22:

"LAST GENTLEMAN" (U. A.)
CRITERION—(1,700), 10c-20c-36c-41c-56c, 7 days. **Gross:** $4,500. (Average, $5,000)

"BRITISH AGENT" (F. N.)
MIDWEST—(1,500), 10c-26c-36c-56c, 7 days. **Gross:** $3,200. (Average, $4,000)

"ONE MORE RIVER" (Univ.)
CAPITOL—(1,200), 10c-20c-26c-36c-41c, 6 days. **Gross:** $1,400. (Average, $2,500)

"SHE WAS A LADY" (Fox)
LIBERTY—(1,500), 10c-15c-26c-36c. Stage: Broadway Vanities, 4 days. **Gross:** $2,300. (Average week, $2,000)

"WILD GOLD" (Fox)
LIBERTY—(1,500), 10c-15c-26c-36c, 3 days. **Gross:** $800. (Average week, $2,000)

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TED ARTISTS

"Hideout" and Bernie Smash In Cleveland

Cleveland, Sept. 27.—"Hideout" on the Loew's State screen with Ben Bernie and his band on the stage at raised admission prices was the big box-office attraction of the week, grossing $21,500, or $1,500 over average.

"Chained" in its second week at Loew's Stillman and its third week downtown grossed $6,000, or 50 per cent over average. Other first runs were satisfactory but not outstanding.

Total gross was $45,500. Average is $43,000.

Estimated takings for the week ending Sept. **21**:

"CAT'S PAW" (Fox)

ALLEN—(3,300), 20c-30c-40c, 7 days. Moved over from RKO Palace. **Gross:** $3,000. (Average, $3,000)

"THE FOUNTAIN" (Radio)
"LA CUCARACHA" (Radio)

WARNERS' HIPPODROME—(3,800), 30c-35c-44c, 7 days. **Gross:** $7,000. (Average, $6,000)

"THE RICHEST GIRL IN THE WORLD" (Radio)

RKO PALACE—(3,100), 30c-35c-44c, 7 days. **Gross:** $8,000. (Average, $10,000)

"HIDEOUT" (M-G-M)

LOEW'S STATE—(3,400), 30c-40c-60c, 7 days. Stage: Bennie Bernie and His Lads. **Gross:** $21,500. (Average with stage show, $20,000)

"CHAINED" (M-G-M)

LOEW'S STILLMAN—(1,900), 20c-30c-40c, 7 days, 2nd week. **Gross:** $6,000. (Average, $4,000)

Tracy Suspended Again

Hollywood, Sept. 27.—Spencer Tracy is again off the Fox payroll temporarily as a result of his alleged failure to appear for the start of "Heldorado" the first and second days. Richard Arlen has replaced him in the cast.

Tracy is reported to have been ordered to pay $25,000 for a 10-day holdup of "Marie Galante" recently.

Ritchie Going Abroad

Robert Ritchie, Jeanette MacDonald's manager, arrived at the Savoy-Plaza from the coast yesterday. On Oct. 6 he sails aboard the *Paris* for London. He said he also planned to visit Paris and Berlin, but was noncommital when asked the purpose of his trip. "I'm not going for the ride" was all he would say.

Radio Signs Designer

Radio has signed Bernard Newman, Fifth Ave. designer, to create its feminine fashions. He recently designed the costumes worn by Miriam Hopkins in "The Richest Girl in the World." Newman will leave for the coast early in October.

Gering Off for Havana

Hollywood, Sept. 27.—Marion Gering flew to New York today and from there he will go to Havana to look over locations for the Paramount picture, "Rhumba," which he will direct. George Raft and Carole Lombard are in the featured spots.

Century to Build House

Century Circuit will build a new theatre at Quentin Road and East 12th St., Brooklyn. It will be a 600-seater. Construction is to start shortly.

MOTION PICTURE DAILY'S HOLLYWOOD PREVIEW

"One Exciting Adventure"

(*Universal*)

Hollywood, Sept. 27.—Dealing with a girl obsessed with a desire to purloin diamonds, a perfume salesman, a master gem thief and two ham detectives, this should prove fair adult entertainment. The story features Binnie Barnes, who steals diamonds for excitement, but never cashes in.

Paul Cavanagh follows in his Rolls Royce writing checks for the stolen gems. Two flat feet, Grant Mitchell and Eugene Pallette, hop on her trail, enlisting Neil Hamilton, who peddles perfume to aid them through a scented glove left at a jeweler's. Hamilton and Miss Barnes go romantic, with a subsequent triangle involving Cavanagh. The climax unfolds from a bet between Hamilton and Cavanagh that Miss Barnes will quit her thievery for Hamilton's love, with Cavanagh making his exit, or vice versa.

Miss Barnes then follows the straight and narrow despite the temptations placed in her path by Cavanagh, with the latter finally being arrested for a string of European gem robberies, but they fail to ensnare Miss Barnes as his accomplice. Mitchell and Pallette contribute the comedy high spots trying to outdo each other. Ernst L. Frank's direction is okay, as is the photography of Norbert Brodine. All members of the cast turn in good performances. The screen play is by William Hurlburt from an original story by Franz Schultz and Billie Wilder.

"By Your Leave"

(*Radio*)

Hollywood, Sept. 27.—Straight as a die this one got right over to every funny-bone in the audience and tickled away one hour and 20 minutes. The story is incidental to the knockout performances of the cast plus the smart direction. The picture is all about Genevieve Tobin and Frank Morgan, a settled, married couple who try separate vacations to capture the old thrill and bring romance back into their lives. Both try in vain to find amusement. Morgan's antics in trying to regain his waning ego with a professional hostess, Marion Nixon, are nothing short of hilarious. Miss Tobin's trials with an explorer, Neil Hamilton, and her husband's friend, Glenn Anders, are no less amusing. All ends well and everybody is satisfied, particularly the audience.

Morgan and Margaret Hamilton, as a bossy maid, rate top honors, and Gene Lockhart contributes a rowdy but well nigh perfect drunk scene. Hamilton, Miss Nixon and Anders are pleasing and natural. Director Lloyd Corrigan displays a swell comedy flair. The dialogue sparkles. The photography by Nick Musuraca is good.

The picture is as smooth a drawing room farce as has been seen in some time. Previewed without production code seal. Running time, 80 minutes.

"Ready for Love"

(*Paramount*)

Hollywood, Sept. 27.—This is a delightful, nonsensical comedy that will provoke laughs from any audience. The story has Ida Lupino, daughter of a vaudeville trouper, Marjorie Rambeau, sent to a small town to live with her aunt.

Through a fluke she is mistaken for the ex girl friend of the town big shot, deceased. In saving Miss Lupino from a ducking in the village pond at the hands of the womenfolk, Reporter Richard Arlen headlines her into stage stardom. Impressed by fame, Miss Lupino refuses Arlen's offer to marriage, but Mama Rambeau brings them together. Not much story, but the trimmings are all that could be wished.

Marion Gering's direction is smooth. Arlen and Miss Lupino are pleasing. The dialogue scintillates. Beulah Bondi and Ralph Remley are excellent as a small town dowager and her husband. Junior Durkin runs off with plenty of laughs as a love sick youth. Others contributing laughs include Miss Rambeau, Henry Travers and Louise Carter. The photography by Leon Shamroy is good. Production code seal No. 254. Running time, 65 minutes.

"Bandini" for Robinson

Hollywood, Sept. 27.—Edward G. Robinson's next for Warners will have an Italian background and will be titled "Bandini." John Fante has joined the studio writing staff to work up an original.

Cohan Finishes Film

George M. Cohan has completed work in Harold B. Franklin's "Gambling" at the Eastern Service Studios. He opens in Providence tonight in "Ah, Wilderness," last season's Theatre Guild show.

Short Subjects

"Tailspin Tommy"

(*Universal*)

Here is a serial that should have particular appeal to juvenile audiences and more than a passing interest to adults. Its subject, aviation, is easily exploited, and showmen should have little trouble handling it.

The cartoon strip, "Tailspin Tommy," drawn by Hal Forrest and syndicated to many daily newspapers, serves as the basis of the film.

The story has Tommy, a small town boy with a mania for airplanes and a desire to become a pilot, finding himself connected with Three Point Field because of a service he has been able to render one of its disabled pilots. Established at the field, he has many adventures, such as saving the air mail contract for his employer, checking a runaway plane and helping to obtain a valuable contract. His experiences are many and varied.

The cast includes Maurice Murphy, Noah Beery, Jr., Grant Withers, Patricia Farr, Charles E. Browne and Walter Miller. There are 12 episodes of 20 minutes each. Production code seal No. 238.

"World's Fair and Warmer"

(*Universal*)

Spotting the Thalians, a group of Hollywood younger players, in a lighthearted thrill comedy with the Chicago World's Fair as a background, Jack Townley, producer, has achieved an acceptable short subject entertainment to lead off the series.

Shots of the Fair are novel and interesting. Introducing fan dancing and Barney Oldfield's daredevil driving, the plot revolves around the amour of Arthur Lake and Helen Mann and brings in John Harron, George Lewis and others.

Should do well, if exploited as well as last Universal series of same name. Running time, 21½ mins.

"Ye Happy Pilgrims"

(*Universal*)

Another of the Oswald cartoon series that should hand out many a chuckle. It's based on the old story of Miles Standish and Priscilla. The opening shots are packed with laughs. Production code seal No. 163. Running time, 9 mins.

Phila. Golf Set Oct. 12

Philadelphia, Sept, 27.—Arrangements have been completed to hold the annual handicap golf tournament and dinner dance under the auspices of *The Philadelphia Exhibitor* Oct. 12. The Lulu Temple Country Club will be the scene of the party. The committee in charge includes Jack Greenberg, chairman; John Bachman, James Clark, Jay Emanuel, Milton Rogasner, Leonard Schlesinger, Harry Wiener and Charles Zagrans.

Friars to Dine Farley

James A. Farley, postmaster general, will be guest of honor at a dinner to be given by the Friars Nov. 4. George Jessel will be master of ceremonies.

Seider Closes Fox Deal

Joseph Seider has closed a deal for Fox product for the Prudential circuit.

THE BOX OFFICE CHECK-UP of 1934

●Thousands of people—writers, artists, actors, masters of cameracraft and directors—contribute daily to the making of America's motion pictures.

In Hollywood and in New York their artistic and executive labors have made America synonymous with the greatest achievements in the world of motion picture entertainment.

Box Office Check-Up of 1934 undertakes an extensive analysis of their work . . . an annual record and reference book published in the interests of those who have participated in the making of notable pictures of the year.

The comprehensive facilities of Quigley Publications are providing a meeting ground for showmen and the creative talent of the screen.

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1790 Broadway, New York City

QUIGLEY PUBLICATIONS

ANOTHER MONUMENT OF
BROUGHT BY RKO-RADIO

AMERICAN LITERATURE TO THE SCREEN!

IRENE DUNNE
JOHN BOLES

First time together since "Back Street"

with **Lionel Atwill**

Helen Westley **Laura Hope Crews** **Julie Haydon**

From the play by Margaret Ayer Barnes

Directed by Philip Moeller

Associate Director, Jane Loring

Pandro S. Berman Production

RKO RADIO PICTURE

Reduced Rate Cases Show Gains in K. C.

Kansas City, Sept. 27.—Reduced admission complaints constitute a large proportion of the cases filed with the local grievance board. So far, the initiative in bringing action has been taken by exhibitors. It is said the distributors consider it best policy not to antagonize offending exhibitors.

Before the code machinery became effective, distributors apparently winked at contract violations on admissions and were inclined to do nothing unless the opposition objected, but now exhibitors are watching their competitors like hawks and are not slow in demanding that the code be observed.

The grievance board is swamped with cases and is holding weekly sessions to dig out from under. Complaints just filed are:

Jay Means, Oak Park, Kansas City, vs. C. H. Potter, Baltis; Ed Burgan, Tenth Street, Kansas City, Kan., vs. Midway; W. A. Leucht, Olive, St. Joseph, Mo., vs. Frank Cassil, Rialto.

Preview Shows Get Test in Vancouver

Vancouver, Sept. 27.—Preview nights once weekly at the Kerrisdale, a 1,500-seat suburban, are latest Famous Players' innovation here. Policy is to spring an unannounced, unadvertised program of three or four shorts and one feature picture, starting at 8 p. m. for one showing each Thursday at 50 cents, any seat.

First of these was Grace Moore's "One Night of Love," with Disney's "Penguins," the DeMille "Cleopatra" short, a bowling short, and a newsreel featuring the Dionne quintuplets as support.

The policy grew out of the visit here of J. J. Fitzgibbons, general manager of Famous Players Canadian.

Alvin to Start Shows

Pittsburgh, Sept. 27.—The Harris-Alvin, which has been running straight pictures since its opening a couple of weeks ago, plans to swing into stage shows by the first of October. Jerry Mayhall will produce them and he has for his assistant Ruth Miller, who used to stage the chorus numbers at the Ambassador in St. Louis.

Zanuck Borrows Two

Hollywood, Sept. 27. — Darryl Zanuck has borrowed Virginia Bruce from M-G-M for "The Mighty Barnum," and Pert Kelton from Radio for a part in "The Red Cat."

Production on the latter picture will begin upon the return of Maurice Chevalier and Constance Bennett from France.

Laemmle, Jr., to Sail

Hollywood, Sept. 27. — Carl Laemmle, Jr., accompanied by Harry Zehnor, leaves on Oct. 15 for Europe, where they will visit all principal studios and search for new writers and directors.

ITOA in New Quarters

The IT.O.A. has moved into the Lincoln Hotel. Its new offices are adjacent to those of Allied of New Jersey.

Variety Club Chatter

Albany

Albany, Sept. 27.—Nate Sauber won the first leg on the Variety Club golf trophy at the Shaker Ridge Country Club outing. Ralph Pielow was runner up and Mayor Thacher was third.

Sauber, Pielow and the Mayor also won other prizes in the low medal and low net classifications. Sam Hockstim of the Star, Hudson, led in the driving contest, and Tom Shea, RKO Theatre, took first putting honors. A dinner at club headquarters followed in the evening.

Luncheon has been resumed with Senator Byrne the guest of honor. Kings for a day, Pielow and Moe Grassgreen. Door prizes were won by Barker Mills of Monogram and Barker Gardner of the American Theatre, Schenectady. Fifty-five members and their guests attended.

Chief Barker Buckley spent several days in New York. Buckley intends spending many of his Saturdays in New Haven during the fall watching Chris, Jr., perform on the gridiron for Yale.

The first of a series of fall business meetings was presided over by Assistant Chief Barker Pielow. A large gathering attended, which resulted in arranging plans for the fall and winter activities. Committees were appointed for a Hallowe'en costume party.

It was also decided to have "Distributors' Nights," with each exchange having the club rooms exclusively one night weekly to indulge in any form of activities. Paramount is to inaugurate this form of social gathering on Sept. 28. Barker Eastman is in charge for "Paramount Night."

Several Barkers, led by Chief Barker Buckley, are arranging to attend the Variety Club Banquet at Pittsburgh, Oct. 14. Plans for chartering a plane to make this trip are now in the making.

Chief Barker Jack Flynn of the Detroit tent was recently a visitor to the local tent. A recent addition to the game room is a ping-pong table and at this early date a tournament among the Barkers is being arranged by Barker Alex Sayles, chairman of the house committee.

Ladies' afternoons will again be inaugurated, starting Oct. 3. The house committee has made arrangements to have a bridge expert in attendance.

Cincinnati

Cincinnati, Sept. 27.—Although there has been a seasonal lull in the activities of Tent No. 3 all indications point to a gala opening of the season Saturday when the first ladies' night will be given.

Abe Lipp is doing some election campaign work for his personal friend. Judge Francis Hamilton.

John A. Schwalm, non-resident of Hamilton, is circulating along the main stem in New York.

Tod Raper, member of Tent No. 2, came in to look over the local quarters last week.

Barker Joe Goetz is all hopped up over the third birthday party which he is giving in honor of his theatre, the RKO Paramount.

Detroit

Detroit, Sept. 27. — Monday Luncheons will be resumed by Variety Club at the Book Cadillac Hotel Oct. 1, according to J. E. Flynn, president.

At the first meeting Kings for a Day, Maurice J. Caplan and Frank J. Downey will preside. The kings are planning to have present the world's series baseball celebrities.

Open house at the clubrooms has been resumed and Vice-President Edward Kirchner is issuing a special bulletin for a weekly "Queens for a Day" every Wednesday.

Pittsburgh

Pittsburgh, Sept. 27.—Joe E. Brown will attend the annual banquet of the Variety Club, to be held at the William Penn Hotel here on Oct. 14, according to a wire just received by John H. Harris, chairman of the banquet committee. Brown is coming east for the world series and will journey to Pittsburgh for the variety club affair. He also will attend the Pitt-California football game on the day preceding the banquet.

Many notables and stars will come to Pittsburgh for the banquet, which is to honor the retiring officers—Harry Kalmine and Harry Goldstein and chief barkers Mike Cullen Art Levy, L. G. Beinhauer, James G. Balmer, Ben Kalmanson, Dr. M. R. Goldman, John Morin, James B. Clark, Jules Lapidus, William Benswanger, Frank Smith and Harold Lund.

Last year more than 45 acts and seven bands furnished the entertainment. Equally as many will participate this year, according to Harris. The entire 17th floor of the hotel has been taken over for the affair.

"Because of the success of our previous banquets, tickets are selling rapidly this year," declares Harris. "Even three weeks before the banquet our tickets are more than half sold and we expect a complete sell-out by Oct. 1."

Washington

Washington, Sept. 27.—Tent No. 11 celebrated its first Ladies' Day Monday, when more than 140 barkers and guests came in for the second weekly luncheon of the new season.

George Crouch and Nat Glasser, the kings for the day, arranged a fine affair, with gifts, including autographed photographs of Dick Powell.

When asked if they might like to come to another Variety Club luncheon, the women voiced unanimous approval of the idea.

The high spot of the luncheon came when A. Julian Brylawski, acting at the behest of the national organization and in the absence of Chief Barker John J. Payette, conferred upon Division Administrator Sol A. Rosenblatt an honorary membership.

Talent for the day's entertainment came for the most part from the Earle and Loew's Fox. From the former there were Dick Powell, Marty Collins, Harry Peterson, Audrey Seiber and Robert Stickney.

The talent included Arthur Goefrey, Ernestine Gardner, William A. Brady and Tom Gannon. Marjorie King, local singer, also was heard.

Although this luncheon was the largest in point of numbers, but four officers of the Tent were present.

Baltimore was well represented, Frank H. Durkee hosting to some 17.

Cincy Council Bars Vote on Music Hall

Cincinnati, Sept. 27.—The City Council has refused to offer voters at the next election the choice of taking over Music Hall, as petitioned by the Music Hall Bondholders' Ass'n., which is in arrears with four $20,000 interest payments, in addition to a sizeable tax delinquency.

Music Hall has the largest auditorium in the city, and, while built primarily for the May Festival and other cultural projects, it also has played pictures, for which it was wired a few years ago.

The building is valued at more than $2,500,000. The site was deeded by the city. What disposition will be made of the property is a matter of conjecture.

Pat O'Malley to Use Veterans in Shorts

Hollywood, Sept. 27.—Pat O'Malley, veteran screen actor, is organizing with modest backings a producing company for the purpose of creating work for other veterans. He will produce a series of two-reelers with old-time favorites. Pathe and Sennett studios are cooperating, and it is understood they will permit use of sets at cost or gratis.

Articles of incorporation are to be filed at Sacramento under the title of Roxanna Pictures, Inc.

Arrivals and Departures

Marion Davies returned from Europe yesterday on the *Bremen*. She plans to stay in town a week before heading coastward.

Lupe Velez and Johnny Weissmuller arrived here from the coast yesterday by plane. They sail for England tomorrow on the *Ile de France*.

Jack Hulbert, Malcolm Balcon and Nova Pilbeam arrive today from England on the *Aquitania*.

Geyer Becomes Manager

Toronto, Sept. 27.—Ernest Geyer, former publicity man for Empire Films, is theatre-managing for a change, having been appointed to the Capitol, North Toronto, by Famous Players Canadian Corp. Geyer is known across Canada as advance man for a succession of film road shows.

Korda to Film "Joseph"

London, Sept. 27. — Alexander Korda has purchased Thomas Mann's "Joseph and His Brethren." King Vidor is scheduled to direct the production and negotiations are now under way for either Fredric March or Leslie Howard to play the lead.

Julian Johnson Coming

Hollywood, Sept. 27. — Julian Johnson, storv editor for Fox on the coast, is flying east for story conferences with Sidney Kent.

The Leading Daily Newspaper of the Motion Picture Industry

MOTION PICTURE DAILY

Alert, Intelligent and Faithful Service to the Industry in All Branches

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Katz, M-G-M Deal Closed; Starts Soon

Mayer Cables Approval; No Studio Changes

Sam Katz

The deal by which Sam Katz becomes an executive assistant to Louis B. Mayer was concluded yesterday with the receipt of Mayer's approval, cabled from Europe.

Katz left yesterday afternoon for a week-end trip to Chicago and will return here tomorrow night to wind up his eastern affairs preparatory to leaving for the M-G-M studios within the next week or 10 days. He was

(Continued on page 3)

Ford Is Made Head Of Universal Reel

Charles E. Ford was appointed editor of Universal Newsreel yesterday, succeeding Allyn Butterfield, who resigned with the expiration of his contract.

Ford, who assumes his new post on Monday, was editor of the independent newsreel produced by *The Chicago Daily News* from 1925 to 1929. He became associated with

(Continued on page 3)

Columbia Directors Delay Board Session

The Columbia board of directors meeting, slated for today, has been postponed indefinitely. It was originally slated for Sept. 23 and then put over until today.

Harry Cohn, president, had planned to come to New York for the session, but his trip east, likewise, has been dropped for the time being.

Switch 2 Para. Men In Central America

Several changes in Paramount's forces in Central America were revealed yesterday.

Arthur L. Pratchett, who has been Cuban manager for the company, has

(Continued on page 3)

Says Gaumont Does Not Plan U.S. Pictures

Balcon States Policy; No Theatres, Ostrer

Gaumont British does not intend to produce in America for the time being, Malcolm Balcon, production head for the company, stated upon his arrival yesterday on the *Aquitania.* This same view was held by Mark Ostrer, who was later questioned on the possibility. Ostrer also added that the company definitely was not in the market for theatres.

Balcon added that G-B will confine its production to England and that there is no need at the present time to send production forces to America.

The G-B production head declared his company's product is commanding a position in the international market

(Continued on page 3)

Federal Ticket Tax In K. C. Is $49,138

Kansas City, Sept. 28.—Federal taxes on admissions to film theatres and other amusements in the Kansas City district totaled $49,138 for the fiscal year 1934, which ended June 30, according to figures made public by the Internal Revenue Department.

The total of Federal tax collections of all kinds in the district for the fiscal year was $20,172,475, including the new processing taxes. Leaving the processing taxes out of the picture, the increase in 1934 was 40 per cent. The figures show the district's income taxes increased 10 per cent over 1933, and that the long string of miscellaneous taxes virtually doubled, rising 98 per cent from $2,777,427 in 1933 to $5,516,544 in the fiscal year recently ended.

Point System Used On Operator Scale

The NRA fact finding committee yesterday adopted a point system as a yardstick for classification of local theatres in setting up a basic wage scale. Both major and independent houses will be guided by the new

(Continued on page 4)

Clean Films Drive Started in England

London, Sept. 28.—British organizations are following the lead of the United States in a clean film campaign, it was learned today. The Westminster Catholic Federation is

(Continued on page 4)

Cliff Tries an "If"

San Francisco, Sept. 28.—Honestly, Cliff Work isn't a Fascist, but here's the Golden Gate Theatre ad appearing in the dailies last week:

IF I WERE DICTATOR!

I would command every theatre-goer to see "The Richest Girl in the World," because it has the beauty of "Little Women" . . . the nonchalant humor of "Thin Man" . . . the delightful romance of "It Happened One Night." . . .

But since I am not dictator I can only guarantee a refund to anyone who does not agree that this picture is GRAND ENTERTAINMENT!

Sincerely,
Cliff Work, Manager.

1st Division Men Discuss Problems

Problems of individual territories were discussed by branch managers and home office representatives of First Division yesterday at informal meetings.

The first business session of their convention gets under way at 9 o'clock this morning at the Park Central. Instead of a four-day meet, the time has been cut to three days and all out-of-town forces will leave tomorrow night.

Following a discussion of product this morning, First Division men will

(Continued on page 4)

Dieterle Will Direct Max Reinhardt's 1st

Hollywood, Sept. 28.—William Dieterle has been assigned to serve as director of Max Reinhardt's production of Shakespeare's "Midsummer Night's Dream," which will be the European stage impresario's first for Warners. Dieterle was associated with Reinhardt in Europe for nine years as actor and assistant.

The Warner home office reported yesterday it was being flooded with messages from the country's film critics commending it on the acquisition of Max Reinhardt's services.

Sign Men May Take Strike Vote Today

Local 230, New York Sign Writers' Union, is expected to make a decision today on calling a strike of member sign writers. As a result of the inability of sign contractors to

(Continued on page 4)

Agents' Rules Call for Full Public Record

Hearing to Be Given on Regulations Oct. 17

Washington, Sept. 28.—Twelve rules regulating the relations between agents, clients and producers are contained in the report of the agency committee on which hearings will be held Oct. 17, it was revealed today with publication of the report by the Recovery Administration.

Disclosure of full details of ownership and financial backing of agents will be required, with a special provision that full publicity shall be given the fact that a producer is interested in the agent's business. Reports of agents regarding their organizations are to be filed with the committee, with which will lie the responsibility of disclosing producer interests.

A number of practices, such as the making of gifts to secure the business of a producer, enticement of employes, etc., are prohibited.

Relations between agents and their clients will be closely controlled under

(Continued on page 4)

New Deal on Code Costs Up to Trio

S. R. Kent, Harold S. Bareford and Edward Golden have been named by Campi as a committee to work out an equitable plan of assessment for producers and distributors.

The second plan submitted by the finance committee was voted down

(Continued on page 4)

Chicago's Schedule Back for Revision

Because the schedule failed to provide clearance for theatres charging under 15 cents, Campi has returned the Chicago clearance and zoning schedule for redrafting.

While most distributors' contracts call for a 15 cents minimum admission, it is held by Campi that this does not mean distributors cannot sell 10-cent houses. Clearance for 15-cent houses must be put into the schedule before Campi will consider it again.

Florida's Grosses $1,746,000 in 1933

Washington, Sept. 28.—Ninety-four theatres in Florida last year had receipts of $1,746,000 and expended

(Continued on page 4)

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Para. Sales Heads In

William Erbb, district manager in Boston; Harry Goldstein, district manager in Cleveland, and Al Kane, branch manager of the Paramount exchange in New Haven, were in town yesterday conferring with J. J. Unger, Paramount division manager.

Lease Portland House

PORTLAND, Sept. 28.—J. J. Parker, independent exhibitor, and Frank L. Newman of Evergreen States Theatres, have leased the Music Box, formerly operated by John Hamrick. Ted R. Gamble will be in charge.

Chinese in Bankruptcy

HOLLYWOOD, Sept. 28.—Grauman's Chinese has gone into bankruptcy. Federal Judge Paul J. McCormick has granted Joseph M. Schenck permission to reorganize the company and continue operations.

MacLean on Way to N. Y.

HOLLYWOOD, Sept. 28. — Douglas MacLean is on his way east to confer with Maxwell Anderson on a story for Pauline Lord's next Paramount film.

Third Week for "Agent"

"British Agent" will be held over at the Strand for a third stanza beginning Wednesday morning.

Court Approves New Paramount Mortgage

Readjustment of the mortgage on Paramount's Coral Gables, a 1,467-seat house at Coral Gables, Fla., was approved yesterday by Federal Judge Alfred C. Coxe. The theatre property is subject to an $87,500 mortgage held by Manufacturers' Trust Co.

Under the plan of readjustment Famous Theatres, Paramount subsidiary, pays $25,000 against the mortgage principal, plus interest and other charges. In return, maturities on the mortgage will be extended and interest reduced from seven per cent to six.

Rolf to Arrive in Jan.

Tutta Berntzen Rolf, the Scandinavian actress signed by Winfield Sheehan while abroad, will come to this country in January. She is a former singing and dancing comedienne and has appeared in films for various European companies. She has been in this country before as the bride of the late Ernst Rolf, Scandinavian producer.

Brown En Route to Coast

CHICAGO, Sept. 28.—After settling differences with the local newsreels and unions, George Brown, president of the I. A. T. S. E., left for the coast today.

Louis Krouse, assistant to George Brown, left for Philadelphia on business and plans to stay there for the week-end.

Mountain Joins Spectrum

It is understood that Dave Mountain, former president of Showmen's and Richmount Pictures, has joined the newly formed Spectrum Pictures, Inc., as general sales manager. Announcement of the new company's product will be made shortly.

Poole to Coast Soon

Arthur B. Poole, vice-president and treasurer of Pathe Exchanges, Inc., plans to leave for the coast within the next month.

Sonin Closes West End

Sam Sonin closes the West End, Long Beach, tomorrow night.

RKO Executives at Farewell for Sisk

About 150 guests attended a farewell dinner to Robert F. Sisk at the Hotel St. Moritz last night. Sisk, formerly director of advertising and publicity for RKO, leaves for the coast by plane today to assume his new post as assistant to J. R. McDonough, president of RKO Radio Pictures, on Monday.

Among those attending were Merlin H. Aylesworth, Ned E. Depinet, Herbert Bayard Swope, Major L. E. Thompson, Jules Levy, Nate Blumberg, Amedee J. Van Beuren, Herbert J. Yates, S. Barrett McCormick, John A. Dowd, Cortlandt Smith, William Mallard, W. G. Van Schmuss, Cresson Smith, A. H. McCausland and Lester Thompson. Guest entertainers included Frances Langford, Willie Kruger and orchestra, the King's Guard from NBC, Bert Woolsey and the Sisters of the Skillet.

Ryskind Gets an Heir

Morrie Ryskind, writer, who recently completed an adaptation of "Repeal" for M-G-M, flew into town yesterday to greet the arrival of a seven-pound, 12-ounce son, born at the White Plains Hospital.

Both Mrs. Ryskind and baby are coming along nicely. Allan House will be the name of the Ryskind heir.

Fisher Drops Its Shows

DETROIT, Sept. 28.—The Fisher has discontinued vaudeville and stage shows after two weeks. A new policy of first and second runs was inaugurated today. First of the new policy pictures is "Jane Eyre," along with Paramount's "Now and Forever," a second run.

Fly to Mexican Opening

HOLLYWOOD, Sept. 28. — Frances Drake and Elissa Landi took a plane for Mexico City today to appear at the opening there of the Nacional Theatre tomorrow night. They will return here Monday.

Mayfair Books "U" Film

Universal's "Wake Up and Dream" goes into the Mayfair following "Wagon Wheels," which is the next attraction. It's a one-picture deal.

Many Big Board Stocks Weaker

	High	Low	Close	Net Change	Sales
Columbia Pictures, vtc	36⅞	35⅝	35⅝	+ ⅝	600
Consolidated Film Industries	3½	3½	3½	.....	100
Consolidated Film Industries, pfd	14⅝	14⅝	14⅝	+ ⅜	100
Eastman Kodak	99¾	99¼	99¾	— ¼	1,100
Fox Film "A"	13	12½	12½	— ½	400
Loew's, Inc.	29⅝	28½	28½	— ⅞	1,900
Paramount Publix	4½	4¼	4⅜	— ¼	7,800
Pathe Exchange	1⅜	1⅜	1⅜	.....	400
Pathe Exchange "A"	13¾	13⅛	13¼	— ¼	600
RKO	2⅝	2⅜	2½	— ⅛	1,400
Warner Bros.	5⅜	5⅛	5⅛	— ⅛	2,200

Technicolor Falls ⅛ on Curb

	High	Low	Close	Net Change	Sales
Technicolor	12¾	12½	12¾	— ⅛	400

G. T. E. Bonds Collapse 1⅛

	High	Low	Close	Net Change	Sales
General Theatre Equipment 6s '40	6⅝	6⅝	6⅝	—1⅛	2
Keith B. F. 6s '46	62	62	62	— ⅜	2
Loew's 6s '41, ww deb rights	101⅞	101¾	101¾	.....	3
Paramount Broadway 5½s '51	43	42¼	42½	— ½	19
Paramount F. L. 6s '47	61½	59	59¾	+ ¾	200
Paramount Publix 5½s '50	61½	59½	60	+ ¾	200
Pathe 7s '37, ww	98⅛	98	98	.....	4
RKO 6s '41, pp	32	32	32	+ ⅝	3
Warner Bros. 6s '39, wd	62	60½	61½	+ ½	80

Purely Personal

JACK PEARL and MRS. PEARL, JOHNNY WEISSMULLER and MRS. WEISSMULLER (LUPE VELEZ), GEORGE O'BRIEN and MRS. O'BRIEN (MARGUERITE CHURCHILL), SOL LESSER and MRS. LESSER, EDDIE CLINE and MRS. CLINE, ROBERT RITCHIE, manager of JEANETTE MACDONALD, and HERMAN TIMBERG will be among the *Ile de France* passengers sailing today.

JERRY SHIELDS was tendered a surprise birthday party at the Ship Ahoy Tavern, New Rochelle, last night by the FRANK MOSER-PAUL TERRY organization. He's the head animator of Terry-Toons.

HOWARD DA SILVA has been engaged for a role in "Laugh, Little Clown," the BEN HECHT-CHARLES MACARTHUR production being made at Eastern Service Studios.

LUCILLE WERNSING, who has charge of broadcasting picture information at the Hotel Edison, will be married today to JOSIAH NEUHART of Pittsburgh.

MARION GERING, Paramount director, got in from the coast yesterday, bound for a vacation in the West Indies.

RICHARD DE ROCHEMONT, formerly in charge of the Paris office of Fox Movietone News, is back in town.

PAULINE LORD arrives here from Hollywood tomorrow on a short vacation from Paramount.

CAPTAIN WILLEMSE'S "Behind the Green Lights" has been bought by Mascot.

GUY KIBBEE, who was to have gotten into town yesterday, arrives today instead.

LLEWELLYN HUGHES' story, "East End, West End," has been purchased by Fox.

PETE SMITH slipped the other day and hurt his ankle. Nothing serious.

Lizzie A. Perret Buried

Funeral services for Lizzie A. Perret, former wardrobe mistress for Paramount Publix theatres in New York, who died Thursday at 63 at the Orange Memorial Hospital, Orange, N. J., were held in Lyndhurst, N. J., yesterday. Interment was in the churchyard of the Embury M. E. Church, Little Silver, N. J. A daughter, a son and two sisters survive.

Lew Harris Passes

DETROIT, Sept. 28.—Lew Harris, 39, salesman for Excellent Pictures Corp., for the past year and a half, is dead of a heart attack. Harris is survived by his widow and two children.

Mrs. A. B. Chalmers Dead

Mrs. A. B. Chalmers, wife of the managing director of the Transoceanic Forwarding Co., died in London yesterday morning.

Strickling Due Wedn'day

Howard Strickling arrives on the *Paris* next Wednesday. He has been in Europe accompanying Louis B. Mayer.

Says Gaumont Does Not Plan U.S. Pictures

(Continued from page 1)

and about 16 of the 26 pictures being made this season are being handled with this intention in mind. He stated 12 pictures on the new lineup are already completed.

Balcon's principal reason for coming over is to study audience reaction to pictures in America and Canada. He is anxious to know what kind of pictures and ideas patrons prefer. He will travel to theatres within 24 hours distance for his survey and plans to be here two months to complete the analysis.

"While I am here I may sign American players and talent. We are always in the market for talent," he said. Balcon has no one in mind at the present time.

He will attend the premiere of "Power" at the Music Hall next Thursday. On the same date, the picture opens at the Tivoli, London, with Prince George as principal guest.

Nova Pilbeam Also Arrives

Arriving with Balcon were Nova Pilbeam, who will appear in person at the Roxy with "Little Friend," which opens following "Peck's Bad Boy;" and Jack Hulbert, who will also make personal appearances at the Roxy and take in most of the stage shows. Miss Pilbeam will make another picture for G-B when she returns to England. Hulbert is down for three this season.

Meeting the stars and production head were Ostrer, Jeffrey Bernerd, Berthold Viertel, director of "Little Friend;" Robert J. Flaherty, who recently completed "Man of Aran;" Arthur Lee and other representatives of G-B.

Viertel, who arrived by plane from Hollywood yesterday, sails for London in two weeks to produce "Passing of the Third Floor Back" for G-B and another not yet designated. Flaherty leaves for England in another month to make additional pictures for the company.

Benita Hume, another star on the roster, is due in next Wednesday on the *Paris*.

Mrs. Mark Ostrer arrives next Tuesday on the *Olympic*. After a short stay here, the Ostrers will go to Milwaukee to meet Mrs. Ostrer's family, then back to New York. On Oct. 19 they sail for England.

Switch 2 Para. Men In Central America

(Continued from page 1)

been made Mexican manager, succeeding Vicente Saiso Piquer, forced by personal business to return to Spain. Pratchett will leave for his new post in the next few days. Jacob Rapoport, manager of the Canal Zone office, is proceeding to Cuba to take charge of that territory when Pratchett leaves for Mexico.

O. C. Lam Out of Hospital

ATLANTA, Sept. 28.—O. C. Lam of Rome, Ga., widely known theatre owner, has just left a hospital following an operation.

MOTION PICTURE DAILY'S HOLLYWOOD PREVIEW

"365 Nights in Hollywood"

(Fox)

HOLLYWOOD, Sept. 28.—Although built on a weak story and at times a bit fantastic, this picture garners plenty of laughs while offering music and dance routines pleasing to the ear and eye. The yarn is typically Hollywood, revolving around James Dunn, a film director who does a Brodie to the bottom of the ladder for letting success go to his head.

Down and out, he is induced to join a fake drama school, headed by Grant Mitchell. While coaching the drama students, Dunn meets Alice Faye, who has screen aspirations. John Bradford, a famous star employed by the school to create a good impression with the students, makes a play for Miss Faye, thus making the romance triangular. The story gains momentum when Frank Melton blows into town with $75,000 to burn. Mitchell talks him into sinking the money in a picture which Dunn directs. The picture is good enough to get release and the plans of Mitchell and Bradford to run out with the money go haywire through Dunn's cleverness. Mitchell and Durant, as two adagio icemen, steal the show with their comedy. All the performances are okay. Director George Marshall gets the most out of the story. Sammy Lee staged the novel dances.

The success of this will depend largely on exploitation. Production code seal No. 269. Running time, 75 minutes.

"Six-Day Bike Race"

(Warners)

HOLLYWOOD, Sept. 28.—When edited this will present hilarious laugh entertainment for the average fan and doubly so for Joe Brown enthusiasts. This comedy of the olden days which centers around a hick farmer boy, aspiring to fame and glory as a bike racer, who lands in a big city to become involved in melodramatic situations, makes clean, family entertainment.

The races are thrilling, with rapid action throughout, all building to a surprise climax. The direction is well handled by Lloyd Bacon from a clever original story by Earl Baldwin. While Brown dominates the story, he is well supported by Maxine Doyle, who furnishes what little romance and feminine lure there is for the hero and the heavy, the latter being played by Gordon Westcott. The cast give creditable performances, with Frank McHugh, Arthur Aylesworth, Lottie Williams, Harry Seymour, Lloyd Neal, Dorothy Christy, William Granger and Ralph Remley.

This offering affords opportunity for unique exploitation. It is particularly timely for small towns where the bicycle craze is imminent and should appeal in big cities to those interested in bicycle racing and the newer generation which has never ridden one. Production code seal No. 289. Running time, 90 minutes.

"Lady by Choice"

(Columbia)

HOLLYWOOD, Sept. 28.—This is money in the bank. Crammed with novel class and mass appeal, the picture is a triumph for May Robson and Carole Lombard and a feather in the caps of all concerned. The yarn's warm human interest combines sock drama, stirring comedy and unique romance.

Miss Robson, a gin-sotted hag who is a perpetual night court problem, is adopted as a publicity gag by a fan dancer (Miss Lombard) as her mother on Mothers' Day. Respect developing despite mutual temperamental outbursts, Miss Robson takes the job seriously and tries to educate Miss Lombard for better things. Fostering a romance between the girl and the lawyer son of an old sweetheart is Miss Robson's objective. Sincere, sympathy-stirring humanness motivates Miss Robson, who takes stern measures to prevent Miss Lombard's temptation to backslide, which sets the situation for a happy finale.

Paced by Miss Robson, Miss Lombard clicks with a bang. Walter Connolly, Roger Pryor and Arthur Hohl are outstanding in the featured support. David Burton's understanding direction capitalizes the stirring sock of Dwight Taylor's story and Jo Swerling's screen play. Theodore Tetzlaff's photography is an artistic contribution.

The picture has the necessary showmanship entertainment qualities to insure it wide popularity. Another gem in Columbia's diadem. A worthy successor to "Lady for a Day."

Production code seal No. 272. Running time, 85 minutes.

(*Additional review on page 4*)

Katz, M-G-M Deal Closed; Starts Soon

(Continued from page 1)

undecided yesterday on the date of his departure for the coast and may remain here to confer with Mayer, who is scheduled to return from Europe late next week, going on to the coast with the M-G-M studio chief.

M-G-M, in a statement issued yesterday, declared that Katz entered on his contract with the company at the "specific request of Louis B. Mayer and, particularly, Eddie Mannix," thereby setting aside reports that the negotiations had been conducted without the knowledge of studio executives. "Mayer, in fact," the statement added, "started the negotiations before he sailed for Europe and yesterday cabled his satisfaction over their completion."

Mannix continues as studio manager, no changes in the studio executive staff being made as a result of Katz's advent, it was stated, with Katz becoming, according to the M-G-M statement, "merely an added arm of management."

Ford Is Made Head Of Universal Reel

(Continued from page 1)

Universal Newsreel with the inception of the cooperative deal entered into between the reel and the *Chicago Daily News* in 1929, continuing his headquarters in Chicago. Ford came to New York one year ago in charge of compiling the photographic material for the Universal reel.

Butterfield is undertaking a new post which he will make known next week.

"U" Planning Fast World Series Film

Play by play filming of the World Series at Detroit with special facilities for working against time in getting the film to theatres is planned by Universal Newsreel, the company said yesterday.

A complete developing laboratory is being sent to Detroit and film will be developed inning by inning as the game progresses. Plans call for having pictures of the game in Detroit theatres one hour after it is over and special plane service has been arranged to carry prints to distant points. A play by play description will be given by Hal Totten, baseball commentator for NBC.

Warners Take Para. Film

Warner's has closed a deal with Paramount whereby the latter's product goes into the former's circuit nationally.

R. & K. Closing United

Rachmil & Katz, operating four Brooklyn houses, will drop the United tomorrow. The theatre is in the colored section of Brooklyn.

New Deal on Code Costs Up to Trio

(*Continued from page* 1)

last Thursday because of an attack by independent forces.

It is understood the assessment starts with companies doing a minimum annual business of $500,000, and the levy increases as the business figures go up.

The exhibitor assessment for the second half of the year has been held up pending revision.

The NRA in Washington must approve all resolutions on assessments and unless there is a unanimous request by Campi, it is stated Division Administrator Sol A. Rosenblatt will not pass it.

New Extras' Rules Given Johnson O.K.

WASHINGTON, Sept. 28.—Regulations governing the relations between extras and their employers were approved by General Hugh S. Johnson yesterday before the board of five named by the President took over his job, it was announced today by the National Recovery Administration. They will become effective Oct. 8.

The regulations govern the compensation to be paid extras and cover such matters as overtime, allowances for transportation, meal periods and pay for waiting. They were approved in the form in which they were announced some days ago by Campi.

Agents' Rules Require Full Public Record

(*Continued from page* 1)

a group of 14 rules recommended by the committee in which split commissions and other questionable practices are banned.

Producers are to be forbidden to transact any business with any agent not in good standing, and are prohibited from attempting to induce any person to employ or refrain from employing a particular agent. Signed contracts between agents and clients will be required for recognition of the former as a representative of the latter.

Ban Seventh Bank Night

KANSAS CITY, Sept. 28.—The local grievance board has ordered J. E. Whitten, Gem, Neodesha, Kan., to discontinue bank nights on complaint of Glenn Klock, Klock Theatre, same town. This is the seventh consecutive case in which the board has banned bank nights.

This decision follows an earlier one in which Whitten was awarded about 70 features from Klock on an overbuying complaint.

Named NRA Board Head

WASHINGTON, Sept. 28.—S. Clay Williams, vice-chairman of the R. J. Reynolds Tobacco Co., was today appointed chairman of the board of five named by the President yesterday to administer the NRA.

Scollay Square to Open

BOSTON, Sept. 28.—M. & P.'s Scollay Square reopens Oct. 5 after renovation. Films and a seven-act vaudeville program with orchestra will be the policy.

MOTION PICTURE DAILY'S HOLLYWOOD PREVIEW

"Dangerous Corner"

(*Radio*)

HOLLYWOOD, Sept. 28.—This mystery carries entertainment value, but is likely to confuse any but the most sophisticated audiences. Repetition in action suggests possible results had not a radio tube blown out at a party, leaving the guests to serious talk instead of gaiety.

A bond stolen from the safe of a business office causes the executives, Conrad Nagel, Henry Wadsworth, Melvyn Douglas and Ian Keith, to suspect each other until Keith is shot. The verdict is suicide and theft. All seem satisfied, including the business men's wives, Erin O'Brien-Moore, Betty Furness, and the business partner, Virginia Bruce.

Comes the incident of the radio and the above mentioned group starts the serious discussion. A tongue slips and the fun begins. The result finds all the guests involved. Keith was murdered. Everything seems involved when again comes the incident of the radio and repetition in action. This time a new tube is found, the guests dance gaily, all ends well.

Director Phil Rosen handled this tricky story deftly, highlighting drama and suspense. Good performances are rendered by the cast, especially Miss Furness and Keith, and Authoress Doris Lloyd. The photography by J. Roy Hunt is satisfactory. Production code seal No. 237. Running time, 70 minutes.

"Caravan," Thursday morning's opener at the Radio City Music Hall, was reviewed by wire from Hollywood on Aug. 27.

"Count of Monte Cristo," Wednesday's opener at the Rivoli, was reviewed on Aug. 29.

"The Barretts of Wimpole Street," yesterday's opener at the Capitol, was reviewed by wire from Hollywood on July 14.

Pettijohn in Defense Of Block Booking

PASADENA, Cal., Sept. 28.—Block booking was defended by C. C. Pettijohn, counsel for the M.P.P.D.A., last night before the convention of the California League of Municipalities.

"General opinion," he said, "is that theatres through block booking are compelled to play bad pictures to get the good ones. Nothing could be further from the truth. Motion picture distribution is not and cannot be made a moral question. It is an economic problem the same as in any other business."

Pettijohn, in a plea against censorship, asked that the industry be allowed to regulate itself. He said that only five per cent of those in the industry are not clean-minded. Governor Frank C. Meriam introduced Pettijohn.

Doane Back at "U"

HOLLYWOOD, Sept. 28.—Warren Doane is back at Universal to conclude his current producing contract with the studio. Doane's contract was suspended two months ago, when the producer was unable to get Sterling Holloway for the top role in a two-reel comedy. Holloway is now available.

Opening in Shreveport

NEW ORLEANS, Sept. 28.—The New Venus will open in Shreveport, La., Oct. 1, under the management of J. T. Padlock.

Select Film to RKO

A deal has been negotiated by RKO Radio to distribute Select's "Woman in the Dark," produced by William Saal.

Clean Films Drive Started in England

(*Continued from page* 1)

circularizing papers in all the large cities and towns of England and Scotland.

The organizers report that more than 250,000 pledges have already been signed and they hope for several million signatures during an intensive campaign this winter.

A. J. Smith, secretary of the federation, asserted that the necessity for this movement must be "blamed on Hollywood."

"American film producers do not realize their responsibilities and the establishment of a code of morals in the United States has failed to effect this purpose," he charges.

Smith said there is also still considerable room for improvement in the home product.

Sign Men May Take Strike Vote Today

(*Continued from page* 1)

negotiate a 10 per cent wage increase, negotiations scheduled for last night with circuit representatives are to be resumed today with a strike decision expected if no settlement is reached.

Sign writers are demanding an increase from $13.20 to $14.20 for a seven-hour day.

Zohbel Is Comptroller Of Radio's Studios

Herman Zohbel, former RKO treasurer, has been transferred to Hollywood as comptroller of the Radio studios. No successor will be named for the present.

1st Division Men Discuss Problems

(*Continued from page* 1)

visit the Western Electric plant to inspect new sound apparatus. This evening, a banquet will be served at the Casino de Paree.

Exchange forces from mid-western points arrive today. A product announcement book will be given each man. This afternoon Chesterfield and Invincible will be host at a special luncheon to First Division. The first new season's release by Chesterfield will be screened.

In addition to feature product line-ups in various territories, 24 shorts will be released by all First Division exchanges.

Speakers today will be Harry H. Thomas, Charles Rosenzweig, Julius Chapman, Al Friedlander and others.

Florida's Grosses $1,746,000 in 1933

(*Continued from page* 1)

$362,000 for wages, according to the U. S. Census Bureau.

Reports for the largest cities show that Miami had 12 theatres with receipts of $625,000 and payrolls of $121,000; Jacksonville, six houses with receipts of $149,000 and payrolls of $51,000, and Tampa five with receipts of $133,000 and payrolls of $55,000.

Kansas grosses totalled $4,564,000. Of this 198 film houses accounted for $2,232,000 and payrolls of $329,000, and 56 vaudefilm houses had receipts of $2,332,000 and payrolls of $398,000. In addition, there were six legitimate theatres with receipts of $27,000 and payrolls of $17,000.

Wichita, with 11 houses, topped the state with receipts of $642,000 on a payroll of $114,000. Six were straight film theatres with a box-office of $140,000 and payrolls of $27,000 and the other five were vaudefilm houses with receipts of $502,000 and payrolls of $87,000.

Topeka, with six vaudefilm theatres, reported a take of $317,000 and payrolls of $43,000, and Kansas City had 11 film houses with receipts of $262,000 and payrolls of $56,000.

Operators Reported Forming New Union

Reports were current yesterday that a new operators' union has been formed locally with 60 men already registered in the organization. Joseph Tepperson was said to be the attorney for the new unit and when reached by MOTION PICTURE DAILY would neither affirm or deny the report.

Tepperson stated, however, whatever plans were in process could not be revealed at this time.

Point System Used On Operator Scale

(*Continued from page* 1)

scale which has been approved by two operators' unions.

Before the plan can be finally adopted, the NRA in Washington must pass on it. As yet 25 theatres have not answered the questionnaire sent out by the committee. These replies are expected to arrive within the next week with the possibility that the new basic scale can be put into effect sometime in October.